

City of Miami Gardens

Analysis of Impediments to Fair

Housing Choice

**DRAFT**



Updated May 2016 by:  
The Florida Housing Coalition

# Contents

EXECUTIVE SUMMARY .....	4
I. INTRODUCTION .....	13
A. HISTORY AND PURPOSE .....	13
B. WHO CONDUCTED THE ANALYSIS? .....	15
C. METHODOLOGY .....	15
D. FUNDING .....	16
II. JURISDICTION’S DEMOGRAPHIC, ECONOMIC AND HOUSING PROFILE .....	16
A. POPULATION.....	18
Race and Ethnicity.....	18
Disability.....	23
Age .....	23
Population Projection.....	26
B. INCOME.....	26
C. EMPLOYMENT .....	30
D. HOUSING .....	33
Housing Costs and Cost Burden .....	34
Additional Housing Problems .....	35
Housing and Neighborhood Revitalization Resources .....	37
Public and Assisted Housing.....	40
Homelessness .....	44
E. TRANSPORTATION.....	46
F. GOVERNMENT STRUCTURE .....	49
III. JURISDICTION’S FAIR HOUSING PROFILE.....	51
A. FAIR HOUSING ENFORCEMENT .....	51
B. PUBLIC AWARENESS OF FAIR HOUSING ISSUES.....	57
Extent of Perceived Discrimination and Trends in Awareness .....	58
Survey Results .....	59
C. FAIR HOUSING INFORMATIONAL PROGRAMS .....	63
D. FAIR HOUSING COMPLAINTS .....	64
E. FAIR HOUSING DISCRIMINATION SUITS FILED.....	65
F. LENDING POLICIES AND PRACTICES .....	70
Portfolio Share Analysis of Single Family Lending .....	72
Market Share Analysis of Single Family Lending.....	78
Denial Disparity Analysis of Single Family Lending .....	81
G. PLANNING AND ZONING/BUILDING CODES.....	84
IV. ACTION TAKEN TO REDUCE IMPEDIMENTS.....	89

V. CONCLUSIONS AND RECOMMENDATIONS .....	93
A. IDENTIFIED IMPEDIMENTS TO FAIR HOUSING CHOICE .....	93
B. 2015 SUPREME COURT RULING ON FAIR HOUSING .....	100
C. CONCLUSION AND NOTE ON HUD’S NEW FAIR HOUSING FINAL RULE .....	101
D. FAIR HOUSING PLAN .....	102
SIGNATURE PAGE .....	106

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## EXECUTIVE SUMMARY

Miami Gardens is a distinctive suburban City in Miami-Dade County. Incorporated in 2003, Miami Gardens is the largest predominantly African-American municipality in the state of Florida, with a solid working-class and middle-class resident base and a strong sense of community ownership and civic pride. The City had a population of 110,867 in 2014 (American Community Survey 5-year estimates), and has received Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD) since 2006. In fiscal year 2015, Miami Gardens received \$1,000,644 in CDBG funds and is slated to receive \$971,071 in 2016.

As a CDBG grantee, the City is required to *affirmatively further fair housing (AFFH)*. Not only must the City refrain from illegal discrimination on the basis of race, sex, disability, or other “protected classes” in its housing-related activities, but it must also actively promote fair housing choice for protected classes that have historically experienced housing discrimination. The City’s AFFH obligation is not restricted to its use of CDBG funds, but rather extends to all housing-related activities in the grantee’s jurisdictional area, whether publicly or privately funded.

For the past two decades, HUD has required grantees of its Community Planning & Development (CPD) programs, which include CDBG, to periodically prepare an *Analysis of Impediments to Fair Housing Choice*. The *Analysis of Impediments (AI)* identifies barriers and enforcement activities related to fair housing choice, and provides recommendations for ongoing efforts to affirmatively further fair housing.

This document consists of five sections:

- I. INTRODUCTION
- II. JURISDICTION'S DEMOGRAPHIC, ECONOMIC, AND HOUSING PROFILE
- III. JURISDICTION'S FAIR HOUSING PROFILE
- IV. ACTIONS TAKEN TO REDUCE IMPEDIMENTS
- V. CONCLUSIONS AND RECOMMENDATIONS

## I. INTRODUCTION

The Introduction places the document in context, describing the history and purpose of *Analyses of Impediments to Fair Housing Choice* required of CPD grantees by HUD. We also discuss the methods and funding used to conduct this *Analysis of Impediments*.

## II. JURISDICTION'S DEMOGRAPHIC, ECONOMIC, AND HOUSING PROFILE

1. Miami Gardens had a population of 110,867 in 2014, an increase of approximately 3% since 2010. The City's population is projected to grow to 119,105 by 2040.
2. The City's population was 76% African-American and 24% Hispanic or Latino (of any race) in 2014. African-American residents tend to be less concentrated along the City's western boundary, where Hispanic and Latino residents tend to be more concentrated.
3. People with disabilities are relatively concentrated in the Andover Lakes area, which has a high elderly population and a subsidized elderly housing complex, and in several western Census tracts with moderate to high poverty rates.
4. In 2014, Miami Gardens had a median household income of \$39,545, slightly lower than Miami-Dade County's median income of \$43,099. Higher-income households are mainly concentrated to the northeast of the City center, while the largest area of low household incomes is found along the City's southern border.
5. The employment rate among Miami Gardens residents aged 16 and older was 52.3% in 2014, lower than the County and State employment rates (55.2% and 52.7%,

respectively)<sup>1</sup>. The geographic distribution of residents in the labor force tends to have an inverse relationship with income, though there are exceptions.

6. Miami Gardens had 35,154 housing units in 2014, of which 10.8% were vacant. Over 70% of units were built between 1950 and 1979. The homeownership rate in 2014 was about 67%.
7. Median rents in Miami Gardens have increased by 11% since 2010, reaching \$1,069 in 2014. The City's median home value of \$129,200 is lower than that of the County, and has declined since 2010, according to 5-year (2010-2014) American Community Survey data. According to the Shimberg Center, the median home sale price increased slightly, from \$117,894 in 2010 to \$122,930 in 2014.
8. Housing cost burden is widespread in Miami Gardens. Among renters and homeowners with mortgages, 62% and 59%, respectively, paid 35% or more of their incomes on housing costs in 2014. A small percentage of households (6.3%) were overcrowded, and it was extremely rare for a home to lack complete plumbing or kitchen facilities. The extent of home deterioration and code violations is difficult to measure.
9. The City of Miami Gardens uses a variety of funding sources (e.g. CDBG, SHIP, NSP) and partnerships (e.g. with housing counseling agencies and lenders) to support its housing rehabilitation and homebuyer assistance programs.
10. Miami Gardens is within the service area of the Miami-Dade Public Housing and Community Development department. The City has 57 units of public housing, and the percentage of rental units with a Housing Choice Voucher (Section 8) is as high as 20% in many Census tracts. However, thousands of households in Miami Gardens zip codes are on the waiting list for public housing or Section 8<sup>2</sup>.
11. The number of people identified as homeless in Miami Gardens is low, since the City lacks emergency shelters and transitional housing. The City cooperates with the Miami-Dade

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<sup>1</sup> These percentages are based on American Community Survey data for all residents aged 16 and older, which includes those not in the labor force.

<sup>2</sup> It should be noted that more than 70,000 people sign up for the Public Housing and Section 8 wait lists Countywide.

County Homeless Trust (the County's Continuum of Care lead agency) and local providers such as Citrus Health Network to meet the needs of people experiencing or at risk of homelessness.

12. The City of Miami Gardens is well served by roads and other transportation networks, with most workers experiencing a commute time of 44 minutes or less. A free trolley service began in June 2015 and has served 31,000 riders in the first year. However, additional bus service would expand access to employment centers.
13. Miami Gardens has a "Mayor-Council-Manager" form of government, with the Council exercising all legislative powers of the City. Council acts as the final authority for the appropriation of funds for Annual Action Plan activities under the Consolidated Plan grant programs, following the recommendations of the City Manager.

### III. JURISDICTION'S FAIR HOUSING PROFILE

1. Fair housing in Miami Gardens is subject to a hierarchy of local, state, and federal regulations. Local agencies, including the Miami-Dade County Commission on Human Rights and the nonprofit Hope, Inc. are tasked with receiving public fair housing complaints and facilitating fair housing enforcement. However, guidance provided by local agencies on filing complaints is inconsistent. Additionally, Hope, Inc., the dominant fair housing organization in Miami-Dade County, was unable to provide information on complaints received.
2. Public knowledge of fair housing laws and options for recourse is limited. In an online survey of Miami Gardens residents and stakeholders, 7.2% of respondents reported experiencing housing discrimination while another 7.2% were unsure. About 44% of respondents were unfamiliar with or unsure of fair housing laws, and nearly 53% were unfamiliar with or unsure of the resources available for filing discrimination complaints.
3. Of survey respondents who reported experiencing discrimination, race or ethnicity was the most common basis for the discrimination. Only one of the 16 respondents who believed they had experienced discrimination reported the incident. Among the other 15

respondents, the most common reasons for not reporting included a belief that it would be ineffective, uncertainty about where to file a complaint, or lack of awareness that the discrimination was illegal.

4. Hope, Inc. seeks to close the gap between fair housing laws and fair housing knowledge and enforcement. The nonprofit agency conducts community outreach; assists entitlement jurisdictions in implementing fair housing plans; provides educational programs to developers, real estate agents, and other stakeholders; conducts fair housing testing; and refers fair housing complaints for enforcement when appropriate.
5. Between 2009 and 2015, 85 fair housing complaints were filed in Miami Gardens. Of the 85 filed complaints, only two have a “right to sue” status. 17 complaints were found to have no cause, 7 cases were withdrawn, 15 cases have not moved forward due to the complainant’s failure to cooperate, 5 cases were settled with benefits, and 38 cases are still open.
6. Three fair housing lawsuits have been resolved since the last Analysis of Impediments was issued. Collectively, the lawsuits address discrimination on the basis of race, familial status, disability, and sex. One additional case was filed, although information about its details or status is unavailable.
7. Home Mortgage Disclosure Act (HMDA) data indicates that African-American borrowers receive a disproportionately low share of market-rate loans: the group makes up 76% of the population of Miami Gardens yet accounts for only 50% of the prime loans. Hispanic borrowers (23% of the population) receive a higher-than-expected share of high-cost loans (58%). Additionally, low- and moderate-income borrowers receive a disproportionately low share of all mortgage loans.
8. African-American borrowers in Miami Gardens were denied single family loans 34.7 percent of the time, similar to white non-Hispanic borrowers who were rejected 32.4 percent of the time. In contrast, Hispanic borrowers were denied a much lower 20.9 percent of time. LMI borrowers, meanwhile, were denied loans 1.32 times as often as more affluent borrowers.



9. The Housing Element of Miami Gardens' Comprehensive Plan calls for certain progressive land use policies that are not reflected in the Land Development Code (LDC). Specifically, the LDC does not authorize Accessory Dwelling Units (ADUs), even though the SHIP Local Housing Assistance Plan lists ADUs as an incentive strategy. The LDC also fails to authorize Single Room Occupancy (SRO) developments. Other elements in the LDC, including minimum setbacks, lot frontage, and building square footage, could be relaxed in some zoning districts to reduce the cost of housing development.
10. The LDC provides incentives to developers to build workforce housing (affordable to households between 65% and 200% AMI). However, the LDC does not provide a specific schedule of incentives based on a development's percentage of workforce housing units or their targeted income brackets.

#### IV. ACTIONS TAKEN TO REDUCE IMPEDIMENTS

The City's 2008 Analysis of Impediments identified five (5) impediments to fair housing choice evident in the City of Miami Gardens:

1. Violations of federal, state, and local fair housing laws in the jurisdiction and immediate surrounding areas
2. Lack of awareness of fair housing laws, issues and resources
3. Racial disparities in fair and equal lending
4. A strongly segregated housing market
5. Limited funding availability for the creation of affordable housing opportunities

To address these impediments, the City of Miami Gardens and its partners have taken the following steps:

- Workshops have been provided to first-time homebuyers, with information on fair housing laws included.
- HOPE, Inc. provided fair housing training for housing providers in the Opa-Locka/Miami

Gardens area.

- HOPE, Inc. provided training on fair lending practices for Miami Gardens Department of Community Development staff.
- Brochures in English, Spanish and Creole on fair housing, housing discrimination, and reporting continued to be made available to the public at City departments, and are given to all housing program participants.
- Between 2011 and 2015, the City has purchased 79 foreclosed and abandoned homes, of which 69 have been sold to income-eligible first-time homebuyers, and 2 have been conveyed to nonprofit entities for rental to individuals at or below 50% AMI.

## **V. CONCLUSIONS AND RECOMMENDATIONS**

Our analysis identified six (6) major impediments to fair housing choice. Each impediment is listed below, along with the strategies proposed to address it.

### **1. Lack of sufficient affordable housing options**

#### Strategies:

- I. Improve collaboration with County affordable housing efforts to expand the supply of safe, decent and affordable housing available in the City.
- II. Collaborate with area housing developers who provide additional affordable housing options
- III. Provide information and technical assistance on housing development programs
- IV. Emphasize mixed income housing in all neighborhoods
- V. Support pre-purchase counseling programs

### **2. Lack of initiatives to affirmatively further fair housing**

#### Strategies:

- I. Overhaul marketing strategies for all counseling, rehabilitation, and public services

- II. Ensure equal inclusion in housing programs for minorities, the LGBT community, and other protected classes in Miami Gardens
- III. Provide technical assistance in affirmative marketing to recipients of City-administered housing development funds
- IV. Provide fair housing training for City government staff, community advocates, housing providers, and financial institutions
- V. Update Limited English Proficiency plan to ensure persons with limited English proficiency have meaningful access to all housing programs and activities, whether publicly or privately provided. Deliver multi-language format presentations to community members

### **3. A strongly segregated housing market**

#### Strategies:

- I. Undertake an analysis of housing utilizing the new AFH Assessment Tool
- II. Encourage mixed-income development in areas with a high concentration of poverty or a single racial group
- III. Encourage development of affordable housing for low- and moderate-income households in high-opportunity neighborhoods

### **4. Incomplete government support system for fair housing**

#### Strategies:

- I. Work with Miami-Dade County to obtain substantial equivalency certification for the County's fair housing ordinance
- II. Work with appropriate County offices, HOPE, Inc., and the HUD Miami Field Office as necessary to improve coordination of the system for receiving and tracking fair housing complaints
- III. Provide training for the City's Mayor, Council, and Manager to ensure that the City is affirmatively furthering fair housing in all housing and housing-related activities, whether publicly or privately provided

## 5. Discriminatory lending practices

### Strategies:

- I. Develop and deliver targeted marketing efforts to increase minority and low-income participation in credit counseling and home ownership programs
- II. Expand credit counseling programs for both potential homebuyers and existing homeowners
- III. Expand financial literacy training programs for both potential homebuyers and existing homeowners

## 6. Restrictive land use and zoning regulations

### Strategies:

- I. Update the LDC to include provisions for Accessory Dwelling Units and Single Room Occupancy developments
- II. Provide a specific schedule of incentives for workforce housing
- III. Ease requirements for residential development, such as minimum unit sizes and setbacks

The document concludes with a Fair Housing Plan, which provides five (5) goals for Affirmatively Furthering Fair Housing (listed below). Each goal is accompanied by a list of activities for the City of Miami Gardens to undertake in collaboration with its partners.

- |                 |   |
|-----------------|---|
| <b>Goal #1:</b> | <b>Reduce the incidence of housing discrimination</b>                                     |
| <b>Goal #2:</b> | <b>Educate the community about its rights and responsibilities regarding fair housing</b> |
| <b>Goal #3:</b> | <b>Reduce discriminatory and abusive practices in lending</b>                             |
| <b>Goal #4:</b> | <b>Promote integration and diversity within the City of Miami Gardens</b>                 |
| <b>Goal #5:</b> | <b>Provide more affordable housing</b>  |

## I. INTRODUCTION

### A. HISTORY AND PURPOSE

The Federal Fair Housing Act, Section 808(e)(5), requires the Secretary of the U.S. Department of Housing and Urban Development (HUD or “the Department”) to administer the Department’s housing and urban development programs in a manner that *affirmatively furthers fair housing (AFFH)*. All local governments that directly receive Community Development Block Grant (CDBG) funds from HUD are required to conduct an assessment of the barriers to housing choice and to develop a plan for overcoming the impediments identified. Although the grantee’s AFFH obligation arises in connection with the receipt of federal funding, its AFFH obligation is not restricted to the design and operation of HUD-funded programs. The AFFH obligation extends to all housing and housing-related activities in the grantee’s jurisdictional area whether publicly or privately funded.<sup>3</sup>

For the past two decades, HUD has required grantees of its Community Planning & Development (CPD) programs, which includes CDBG, to periodically prepare an *Analysis of Impediments to Fair Housing Choice*. The *Analysis of Impediments (AI)* document provides demographic and economic context for a HUD grantee’s fair housing landscape; reviews the grantee’s legal and institutional framework for fair housing enforcement; identifies recent enforcement activities, disparities, and accomplishments related to fair housing choice; and provides recommendations for ongoing efforts to affirmatively further fair housing.

In July 2015, HUD issued a Final Rule on Affirmatively Furthering Fair Housing, which clarified and simplified existing requirements for grantees, and replaced the required *Analysis of Impediments* with an *Analysis of Fair Housing (AFH)*. To help grantees plan, implement, and monitor actions to affirmatively further fair housing more effectively, HUD provides a standardized template and public datasets for completion of the *AFH*. The timeline for preparing the first *AFH* documents is

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<sup>3</sup> U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, *Fair Housing Planning Guide*, Chapter 1, Section 1.2, 1-1

tied to the HUD-mandated Consolidated Planning process for HUD CPD grantees. For grantees that receive more than \$500,000 in CDBG funds and are scheduled to submit their next Consolidated Plan to HUD on or after January 1, 2017, the first *AFH* must be submitted nine months prior to Consolidated Plan submission. Since Miami Gardens will submit its next Consolidated Plan before this date, it is not yet required to use the *AFH* template. However, this will be the City's last *Analysis of Impediments to Fair Housing Choice*.

The Consolidated Plan regulations (24 CFR 91) require a certification by each jurisdiction that it will affirmatively further fair housing (AFFH), which requires Fair Housing Planning. Fair Housing Planning entails: 1) the completion of an *Analysis of Impediments to Fair Housing Choice* (or *Analysis of Fair Housing*); 2) implementation of action plans to eliminate any identified impediments; and 3) maintenance of AFFH records, corresponding with implementation of the Consolidated Plan every three to five years. For fair housing, that means that the jurisdiction will continue to certify that they will affirmatively further fair housing as a condition of continuing to receive federal funds. Local jurisdictions can meet this obligation by conducting an *AI* or *AFH*, developing an Action Plan, and implementing strategies designed to overcome these barriers based on their history, circumstances, and experiences. In other words, the local jurisdictions should define the problems, develop the solutions and be held accountable for meeting the standards they set for themselves.

An analysis of the impediments to fair housing is more than a catalog of illegal acts. It is a study of the barriers to housing choice. This study must identify those systemic or structural issues that limit the ability of people to take advantage of the full range of housing which should be available to them. The City of Miami Gardens has done much to expand the housing choices of its residents through a variety of programs. An attempt has been made herein to identify the immediate barriers without discussing the causes for the disparities which are beyond the scope of this study.

## B. WHO CONDUCTED THE ANALYSIS?

The City of Miami Gardens contracted with the Florida Housing Coalition (the Coalition) to update its *Analysis of Impediments*, which was last published in 2008. The Coalition is a statewide not-for-profit corporation established in 1982 as a nonprofit membership organization, and is recognized as Florida's foremost authority on affordable housing training and technical assistance. The Coalition provides technical assistance nationwide for grantees of HUD Community Planning and Development programs including CDBG and CDBG-DR, ESG, CoC, and NSP.

For Consolidated Planning and Analysis of Impediments to Fair Housing work, the Coalition's philosophy is first and foremost to respect the community vision for housing and then to coordinate available resources in the most efficient manner. The organization has a proven ability to help local governments exceed HUD's requirements for citizen participation and stakeholder consultation, while developing goals, priorities, and recommendations that are supported both by data and public feedback.

## C. METHODOLOGY

HUD's *Fair Housing Planning Guide* was utilized in the preparation of this *Analysis of Impediments to Fair Housing Choice*. To construct a demographic, economic, and housing profile of Miami Gardens, we used data from the U.S. Census Bureau's American Community Survey and the Shimberg Center for Housing Studies at the University of Florida. To assess the amount of fair housing enforcement activity in Miami Gardens, we obtained data on fair housing complaints from the HUD Miami Field Office, as well as information on fair housing lawsuits filed. We hosted two public meetings and conducted an online community survey to gauge public awareness of fair housing laws and perceptions of fair housing violations, and reviewed the existing legal and institutional structure for fair housing education and enforcement (including both public and private agencies) to identify gaps. We analyzed Home Mortgage Disclosure Act (HMDA) data for Miami Gardens to investigate possible disparities in mortgage lending, and

reviewed the City's policy and regulatory documents related to housing development to identify provisions that help or hinder fair housing choice. Additionally, the City of Miami Gardens provided information on fair housing accomplishments since the last *Analysis of Impediments* was published. In the Conclusions and Recommendations section of this document, information on the strengths and gaps of Miami Gardens' system for promoting fair housing choice is synthesized to provide a blueprint going forward.

#### D. FUNDING

The City of Miami Gardens executed an agreement with the Florida Housing Coalition, Inc. effective October 22, 2015 to update the City's *Analysis of Impediments*. Community Development Block Grant (CDBG) funds were utilized to fund this effort.

## II. JURISDICTION'S DEMOGRAPHIC, ECONOMIC AND HOUSING PROFILE

The City of Miami Gardens was incorporated on May 13, 2003 as the 33rd city in Miami-Dade County, and is the third largest city in the County (after Miami and Hialeah). The City is located in North-Central Miami-Dade County and covers an area of approximately 20 square miles. Miami Gardens borders Broward County to the north, the City of Miami Lakes and Unincorporated Miami-Dade County to the west, the City of Opa-Locka to the south, and the City of North Miami Beach and unincorporated Miami-Dade County to the east (see Figure 1). The City of Miami Gardens is comprised of seven communities identified as Census Designated Places (CDP) in the 2000 Census: Andover CDP, portions of Carol City CDP, Scott Lake CDP, portions of Norland CDP, portions of Lake Lucerne CDP, Opa-Locka North CDP, and Bunche Park CDP. Miami Gardens is an urban/suburban community that was heavily developed between 1950 and 1969. It is a solid, working and middle class community of unique diversity and holds the distinction of being the largest predominantly African-American municipality in the State of Florida.



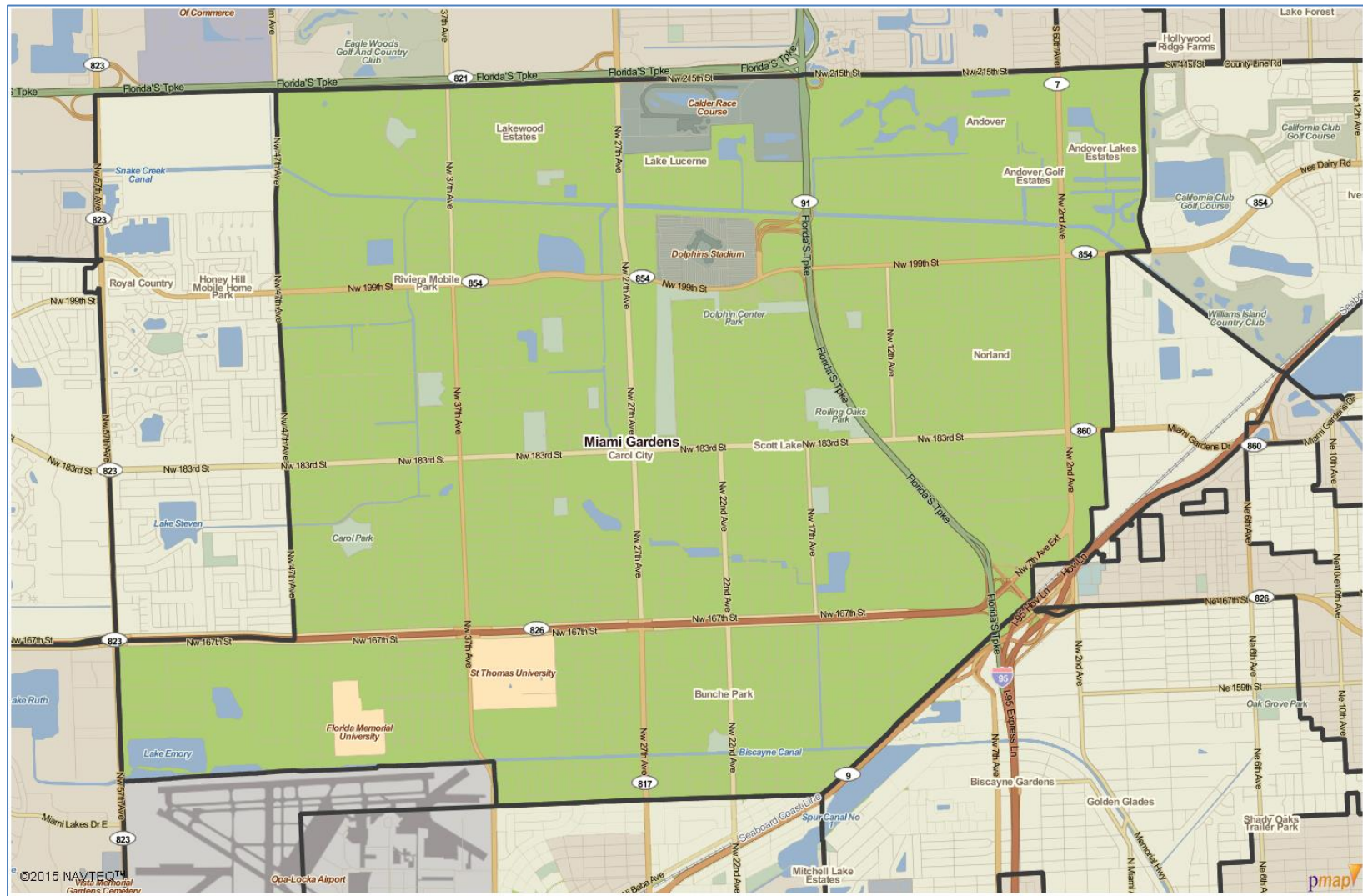


Figure 1. City of Miami Gardens

## A. POPULATION

### Race and Ethnicity

Table 1 shows Miami Gardens' population by race and ethnicity in 2010 and 2014. According to the 2010-2014 American Community Survey, Miami Gardens has an estimated population of 110,867 – an increase of 2.9% since 2010. The City is reported to be 76% Black or African American, 2.4% non-Hispanic White, 0.7% Asian, and 0.1% American Indian and Alaskan Native. Persons of Hispanic or Latino ethnic origin are 24.2% of the population. Based on these estimates the population of Black and African Americans increased slightly by 3%, non-Hispanic Whites decreased 5%, and Hispanics and Latinos increased 14%. Furthermore, about 30% of the residents of Miami Gardens are foreign-born (32,924).

**Table 1: Race and Ethnicity of Miami Gardens Residents**

<b>Race</b>	<b>2010</b>	<b>%</b>	<b>2014</b>	<b>%</b>
White	19,625	18.3%	22,882	20.6%
Black or African American	81,776	76.3%	84,216	76.0%
American Indian and Alaskan Native	264	0.2%	86	0.1%
Asian	643	0.6%	827	0.7%
Native Hawaiian and Pacific Islander	30	0.0%	138	0.1%
Some other race	2,421	2.3%	1,709	1.5%
Two or more races	2,408	2.2%	1,009	0.9%
<b>Ethnicity</b>	<b>2010</b>	<b>%</b>	<b>2014</b>	<b>%</b>
Hispanic or Latino (of any race)	23,606	22.0%	26,835	24.2%
White (alone)	2,806	2.6%	2,661	2.4%
<b>Total</b>	<b>107,167</b>	<b>100%</b>	<b>110,867</b>	<b>100%</b>
Data Source: Census 2010, 2010-2014 American Community Survey 5-Yr Estimates (DP05)				

The following series of maps displays the concentration of population in the City of Miami Gardens. According to the 2014 ACS, the northern and western areas of the City were the most densely populated (Figure 2). The lightest shaded areas have the lowest concentration of population, and the concentration increases as the shade darkens.

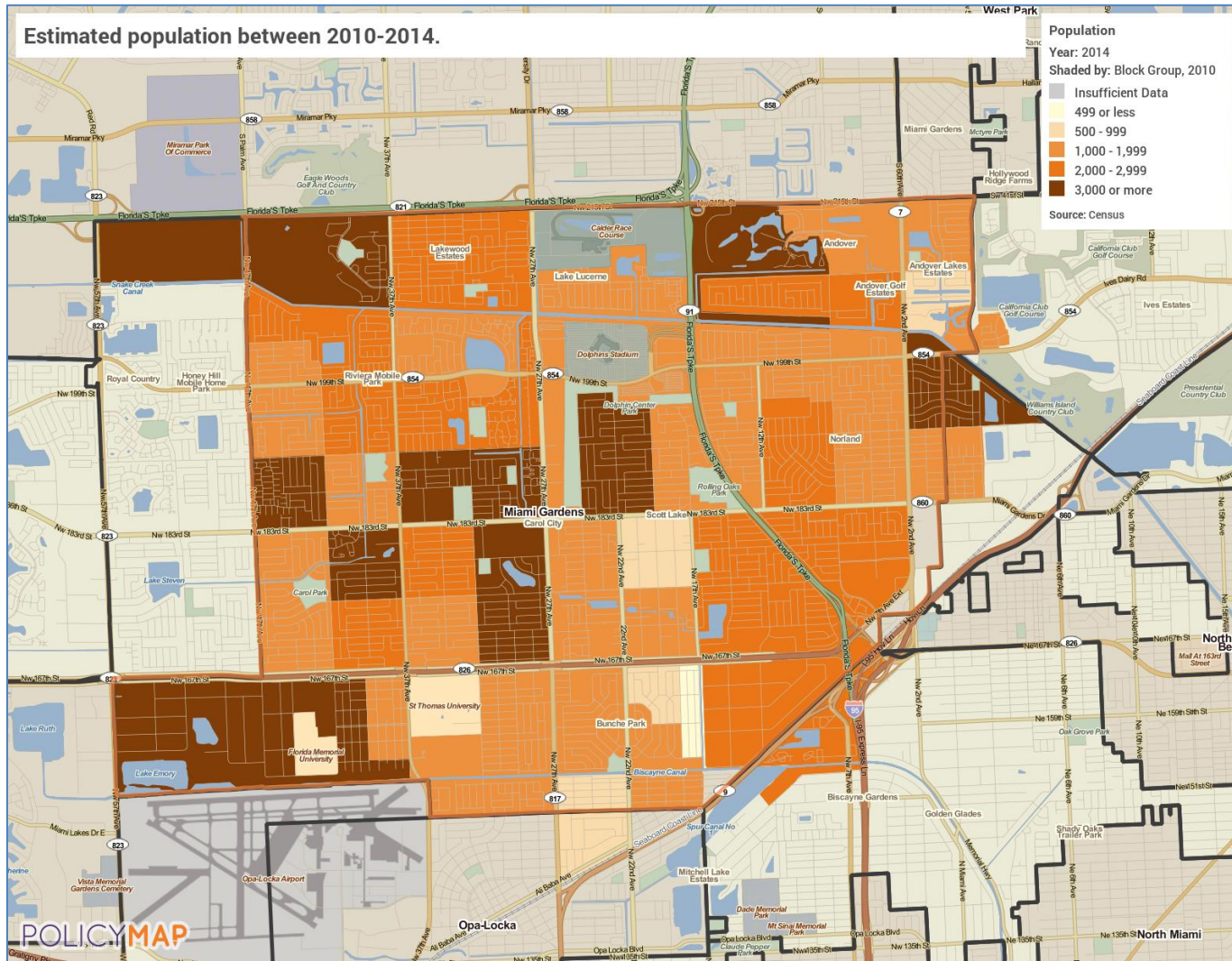


Figure 2: Miami Gardens Population by Census Block Group



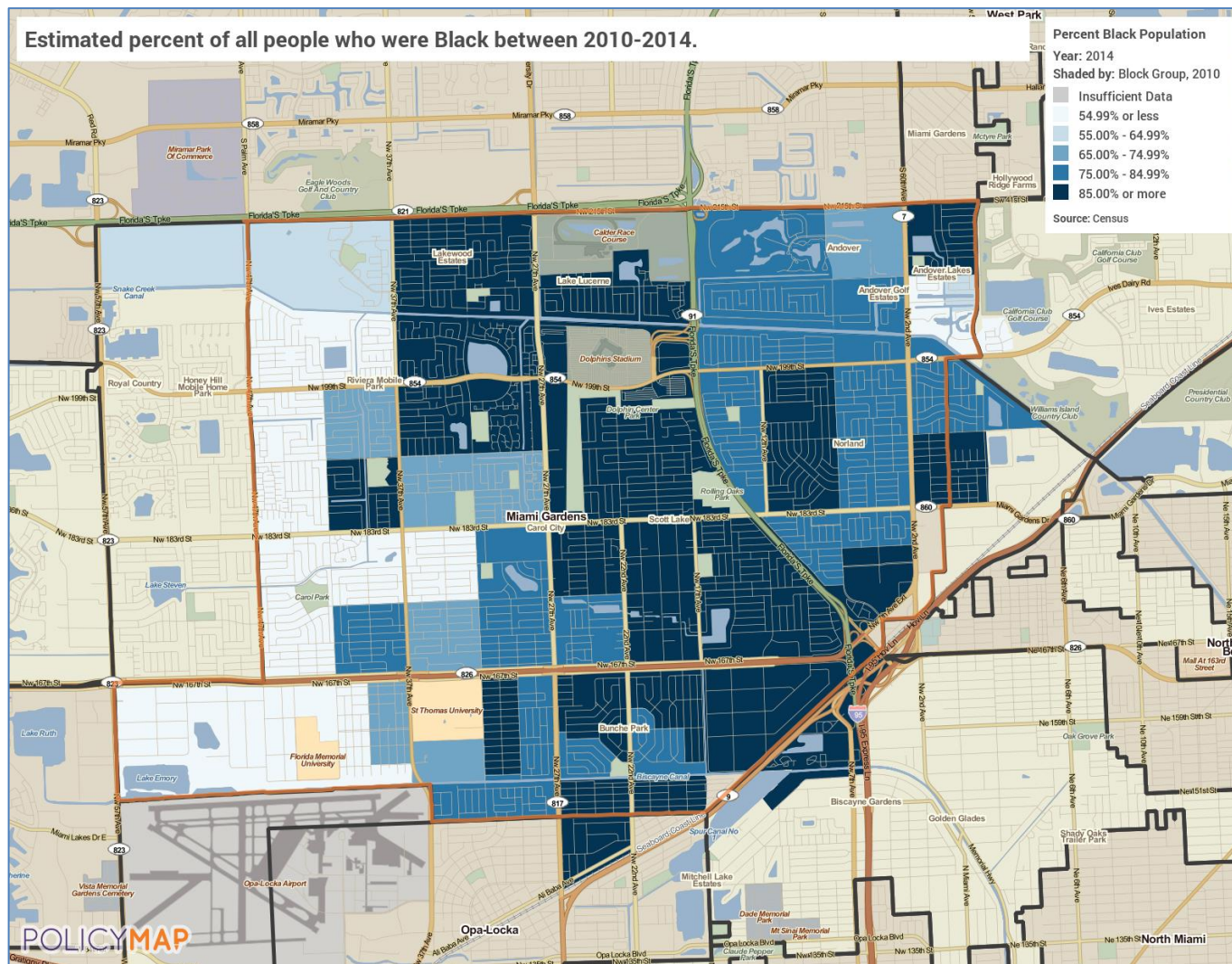
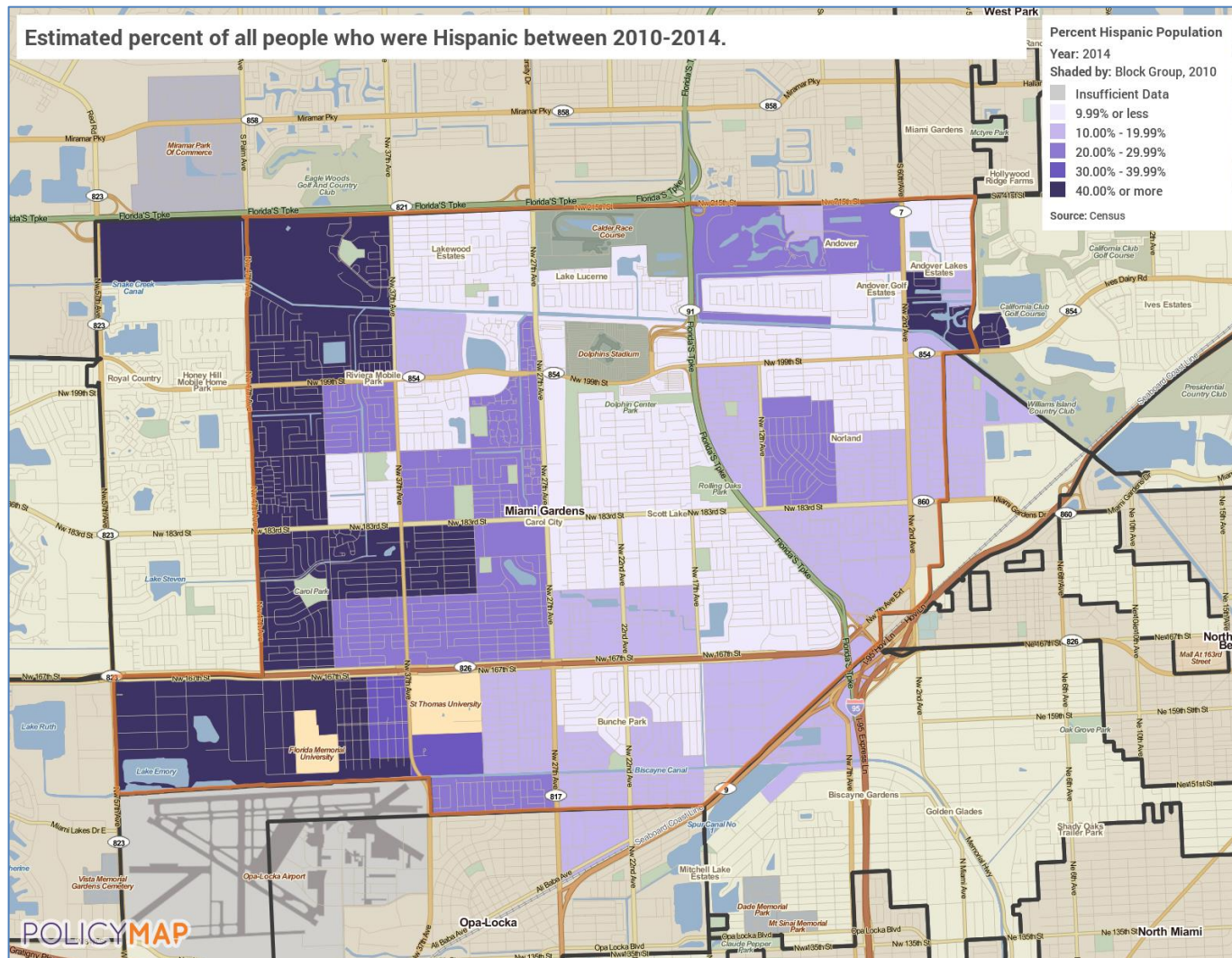


Figure 3: Miami Gardens Black Population by Census Block Group

According to the 2014 ACS, Blacks or African Americans are the predominant race group in Miami Gardens, though the population is more heavily concentrated in the eastern portion of the City (Figure 3). The lightest blue areas have a Black or African American population of 54.9% or less, while darker blue areas have a higher concentration of African-American residents.



According to the 2014 ACS, Hispanic and Latino populations are the second most predominant group in Miami Gardens and mostly concentrated in the western areas of the City (Figure 4). Notably, Hispanic and Latino populations tend to be more concentrated in block groups where African-Americans are less concentrated.

Figure 4: Miami Gardens Hispanic and Latino Population by Census Block Group



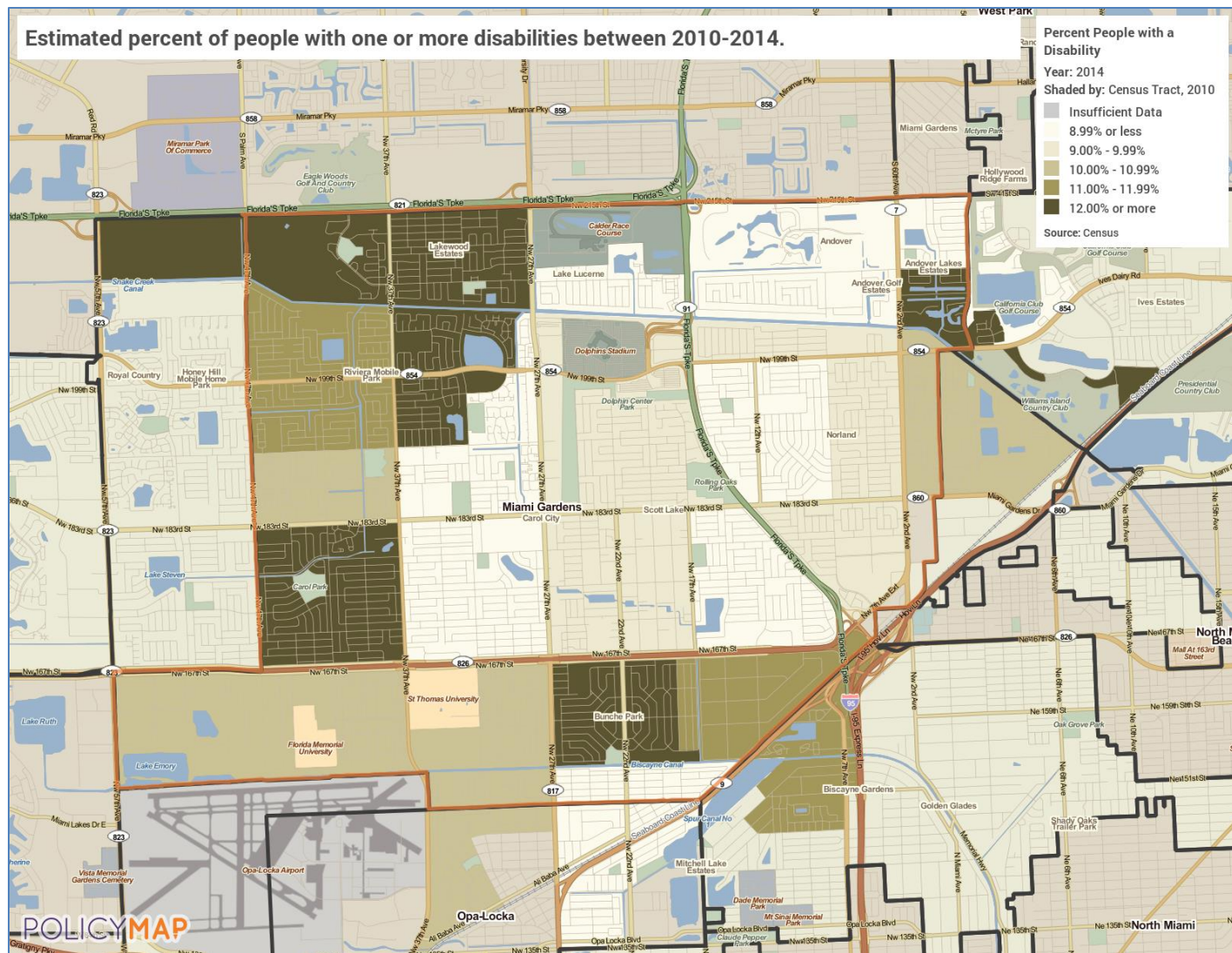


Figure 5: Percent of Residents with a Disability by Census Tract in Miami Gardens

## Disability

Approximately 9.7% (10,714) of the City's population has a disability, although the share of people 65 years and older with a disability rises to 37.7% (4,738). Notably, although American Indian and Alaskan Natives represent a small portion of the population, 54.7% have a disability – more than five times the citywide rate. (2010-2014 ACS)

Miami Gardens residents with disabilities are not evenly distributed across the City (Figure 5). Persons with disabilities are most concentrated in a northeastern Census tract in the Andover Lakes area, which has a high elderly population and includes the Robert Sharp Towers, a subsidized elderly housing development. Comparing the geographic distribution of people with disabilities to that of the poverty rate (see the 2016-2020 Consolidated Plan), several Census tracts with moderate or high concentrations of people with disabilities also have moderate or high poverty rates.

## Age

Approximately 27.2% (31,103) of the City's population is 19 years and under, and 6.1% (6,753) is under the age of 5. Households with own children under 18 years of age make up 26.6% of all total households in Miami Gardens (8,332). Elders (65 and older) represent 11.3% (12,559) of the total population of the City (2010-2014 ACS).

Figure 6 shows the distribution of children under age 18 in Miami Gardens by block group. The lightest shaded areas have the lowest concentration of children. The highest concentrations of children are in several eastern and central Census block groups, but moderate concentrations of children are found throughout the City.

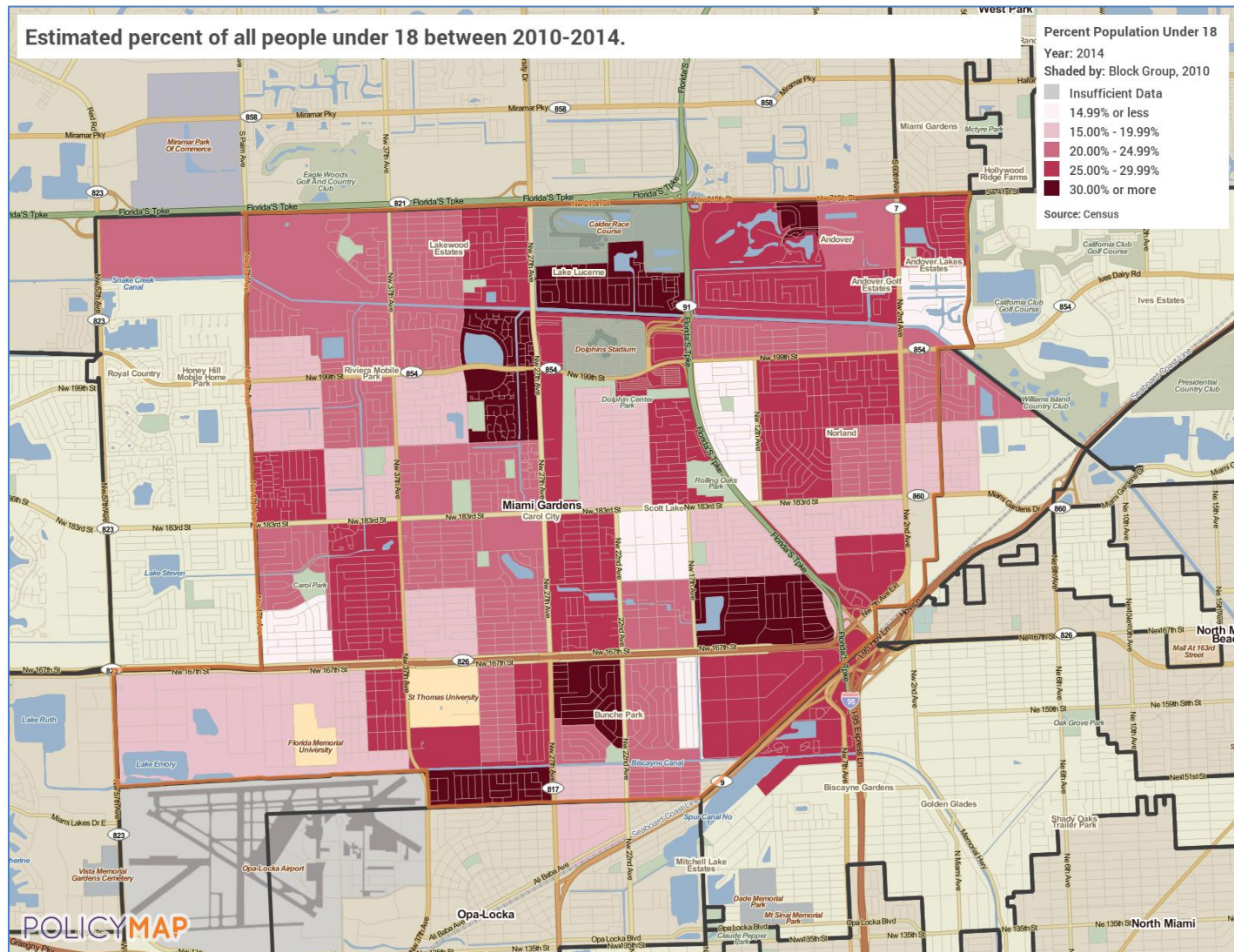


Figure 6: Miami Gardens Residents Under Age 18 by Census Block Group



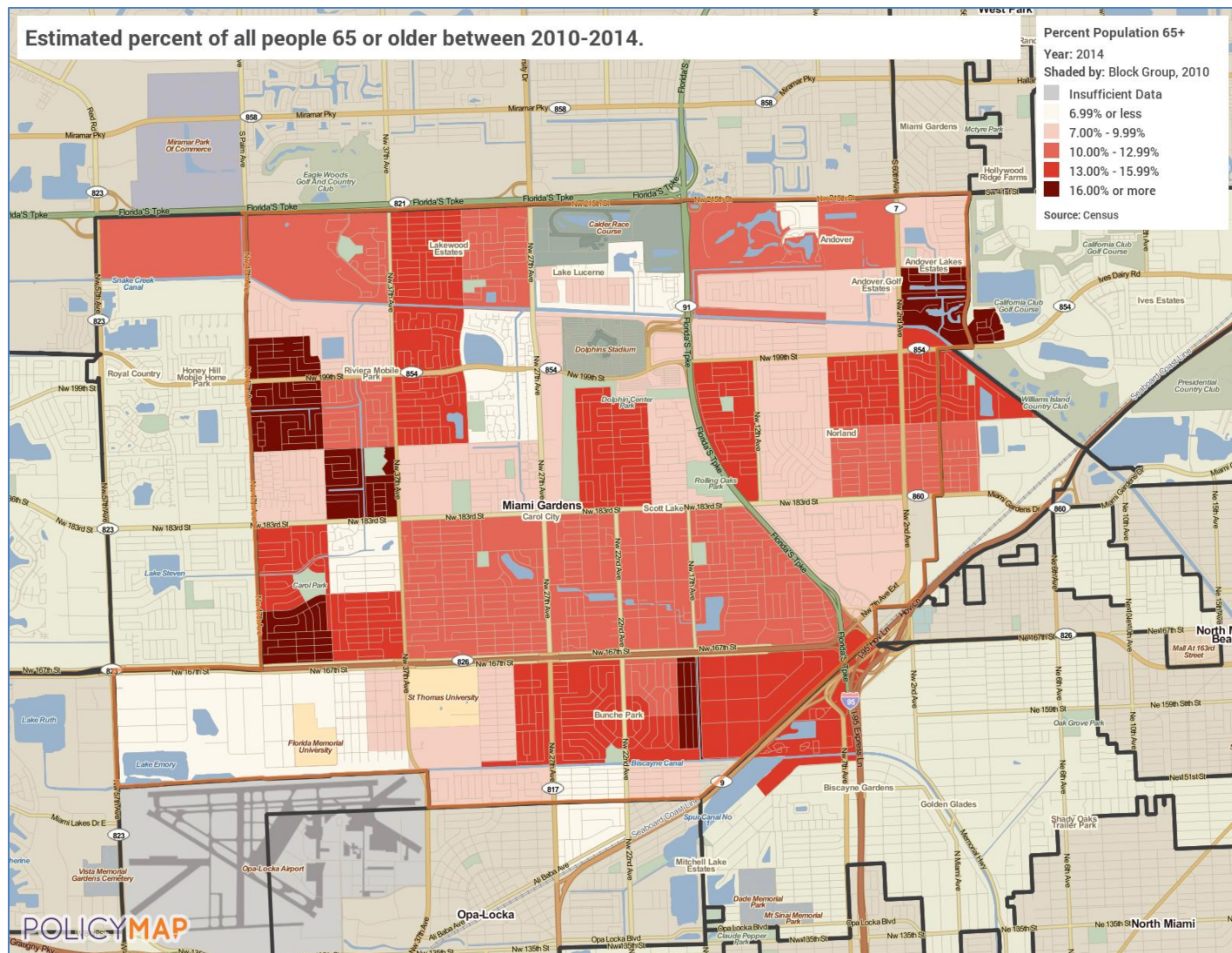


Figure 7: Miami Gardens Residents Aged 65 and Over by Census Block Group

Figure 7 shows the distribution of elders aged 65 and over in Miami Gardens by block group. The lightest red shaded areas represent the lowest concentration of elders, and the concentration increases as the shade darkens. There is some overlap between the distribution of elders and people with disabilities, but areas of moderate or high elderly concentration are more widespread. The block groups with the highest concentrations of elders are near the City limits, but block groups with moderate concentrations of elders are spread throughout the City.

## Population Projection

Based on the US Census of 2000 and 2010, the Shimberg Center for Housing Studies estimated the population of Miami Gardens at 108,702 residents in 2015 (Table 2). Projections indicate that the population of Miami Gardens will increase to 111,393 residents by 2020 and then to 119,105 by 2040. The table below displays the population projection from 2010 to 2040 by 5-year increments for the City.

**Table 2: Miami Gardens Population Projections 2010 – 2040**

Year	2010	2015	2020	2025	2030	2035	2040
Miami Gardens	107,167	108,702	111,393	113,742	115,882	117,349	119,105
Data Source: Florida Housing Data Clearinghouse 2015							

## B. INCOME

According to the 2010-2014 ACS, in 2014 Miami Garden's median household income was \$39,545 (Table 3), while Miami-Dade County and the State of Florida had median household incomes of \$43,099 and \$47,212, respectively. The City's median household income was lower than the median family income (\$45,360) because a greater share of non-family households has only a single wage earner, while many families have two wage earners.

HUD defines low-income households as those with incomes at 80% or less of the area median income (AMI), adjusted for household size. The 2010-2014 ACS does not classify households by their percentage of Area Median Income, but it does classify households by their income in

absolute dollar amounts. As of the latest ACS, 14,074 (44.9%) had an MHI of \$34,999 or less; by comparison, 80% of the City's median household income is \$31,636. Table 3 and Table 4 display incomes for households and families, respectively.

**Table 3: Household Income and Benefits in Miami Gardens**

Household Income	Number of Households	% of Households
Less than \$10,000	3,126	10.0%
\$10,000 to \$14,999	2,264	7.2%
\$15,000 to \$24,999	4,608	14.7%
\$25,000 to \$34,999	4,076	13.0%
\$35,000 to \$49,999	5,284	16.8%
\$50,000 to \$74,999	5,490	17.5%
\$75,000 to \$99,999	3,101	9.9%
\$100,000 to \$149,999	2,536	8.1%
\$150,000 to \$199,999	570	1.8%
\$200,000 or more	310	1.0%
Median household income (dollars)	39,545	(X)
Mean household income (dollars)	50,133	(X)
With earnings	25,021	79.8%
Mean earnings (dollars)	50,340	(X)
With Social Security	9,740	31.1%
Mean Social Security income (dollars)	14,610	(X)
With retirement income	4,445	14.2%
Mean retirement income (dollars)	22,151	(X)
With Supplemental Security Income	2,541	8.1%
Mean Supplemental Security Income (dollars)	8,755	(X)
With cash public assistance income	1,053	3.4%
Mean cash public assistance income (dollars)	2,689	(X)
With Food Stamp benefits in the past 12 months	9,024	28.8%
<b>Total households</b>	<b>31,365</b>	<b>(X)</b>
Data Source: 2010-2014 American Community Survey 5-Yr Estimates (DP03)		

Table 4: Income of Families and Non-Family Households in Miami Gardens

Family Income	Number of Families	% of Families
<b>Families</b>	<b>23,100</b>	<b>100%</b>
Less than \$10,000	1,637	7.10%
\$10,000 to \$14,999	1,222	5.30%
\$15,000 to \$24,999	2,973	12.90%
\$25,000 to \$34,999	3,204	13.90%
\$35,000 to \$49,999	4,016	17.40%
\$50,000 to \$74,999	4,557	19.70%
\$75,000 to \$99,999	2,494	10.80%
\$100,000 to \$149,999	2,243	9.70%
\$150,000 to \$199,999	492	2.10%
\$200,000 or more	262	1.10%
Median family income (dollars)	45,360	(X)
Mean family income (dollars)	55,311	(X)
Per capita income (dollars)	16,731	(X)
<b>Non-Family households</b>	<b>8,265</b>	<b>100%</b>
Median non-family income (dollars)	22,424	(X)
Mean non-family income (dollars)	31,576	(X)
Median earnings for workers (dollars)	23,231	(X)
Median earnings for male full-time, year-round workers (\$)	31,576	(X)
Median earnings for female full-time, year-round workers (\$)	30,814	(X)
Data Source: 2010-2014 American Community Survey 5-Yr Estimates (DP03)		



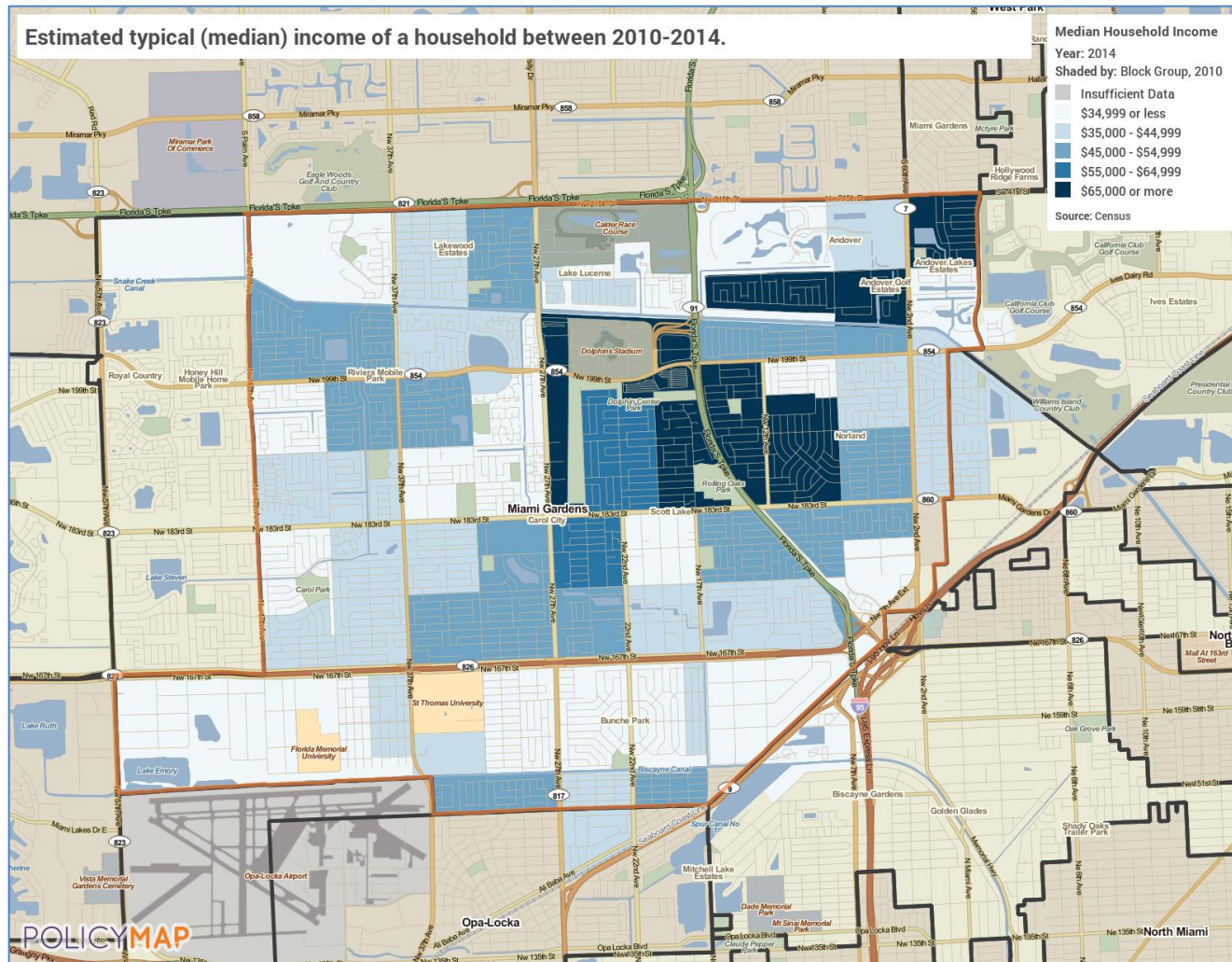


Figure 8: Median Household Income by Census Block Group in Miami Gardens

While the median household income in Miami Gardens was \$39,545 according to the 2014 ACS, the range of MHI throughout the city varies widely (Figure 8). The lightest shaded areas represent where the MHI is \$34,999 or less, and the MHI increases as the shade darkens. Higher-income households are mainly concentrated to the northeast of the City center, while the largest area of low household incomes is found along the City's southern border.

## C. EMPLOYMENT

According to the 2010-2014 ACS, 62.8% of the population 16 years and over were participants in the labor force, of which 45% (25,877) were male and 52.9% (29,015) were female. Miami Gardens' employment rate was 52.3% (Table 5), lower than the County and State employment rates (55.2% and 52.7%, respectively).

**Table 5: Employment Status of Miami Gardens Residents Aged 16 and Over**

Employment Status	Number of Residents	% of Residents
Population 16 years and over	87,371	100%
In labor force	54,892	62.8%
Civilian labor force	54,799	62.7%
Employed	45,698	52.3%
Unemployed	9,101	10.4%*
Armed Forces	93	0.1%
Not in labor force	32,479	37.2%
Data Source: 2010-2014 American Community Survey 5-Yr Estimates (DP03)		
<i>*16.6% of the civilian population 16 years and over is unemployed.</i>		

The Educational Services, Healthcare, and Social Assistance industry accounts for the largest share of the City's working population (24.4%; see Table 6). Retail Trade was the second most common industry among Miami Gardens workers (14.7%) and Professional, Scientific, and Management, and Administrative and Waste Management Services was third, with 10.3% of the City's work force. The following tables display employment status and the number of workers by occupation and industry in Miami Gardens.

Table 6: Occupations and Industries of Miami Gardens Workers (Civilians 16 and Over)

Occupation & Industry	Number of Residents	% of Residents
Civilian employed population 16 years and over	45,698	100%
<b>OCCUPATION</b>		
Management, professional, and related occupations	10,292	22.5%
Service occupations	11,736	25.7%
Sales and office occupations	13,476	29.5%
Natural resources, construction, and maintenance occupations	4,107	9.0%
Production, transportation, and material moving occupations	6,087	13.3%
<b>INDUSTRY</b>		
Agriculture, forestry, fishing and hunting, and mining	152	0.3%
Construction	2,684	5.9%
Manufacturing	1,985	4.3%
Wholesale trade	1,149	2.5%
Retail trade	6,713	14.7%
Transportation and warehousing, and utilities	3,745	8.2%
Information	917	2.0%
Finance and insurance, and real estate and rental and leasing	1,614	3.5%
Professional, scientific, and management, and administrative and waste management services	4,690	10.3%
Educational services, health care, and social assistance	11,163	24.4%
Arts, entertainment, and recreation, and accommodation, and food services	4,238	9.3%
Other services, except public administration	2,713	5.9%
Public administration	3,935	8.6%
Data Source: 2010-2014 American Community Survey 5-Yr Estimates (DP03)		



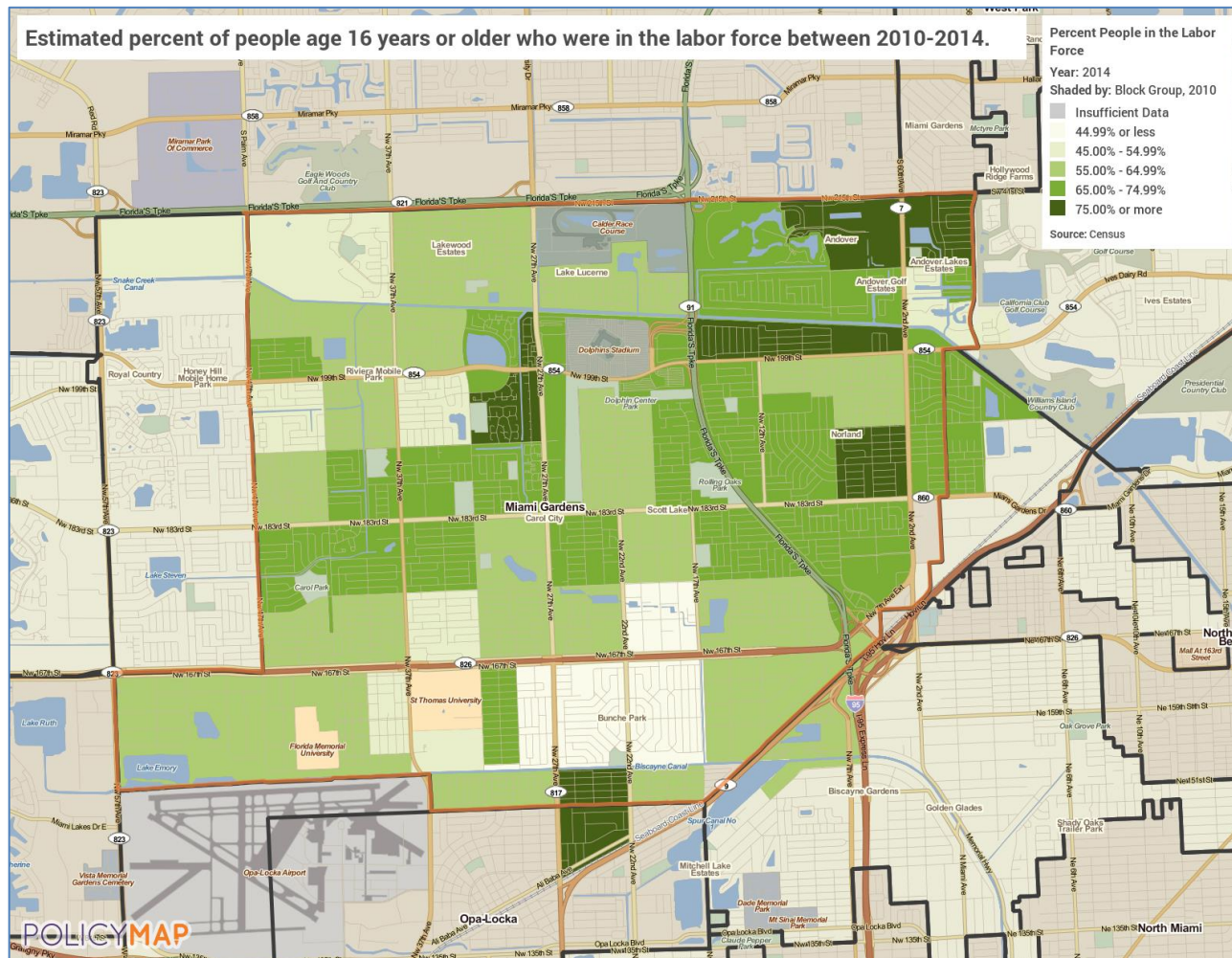


Figure 9: Miami Gardens Residents in Labor Force by Census Block Group (16 and Older)

According to the 2014 ACS, northeastern and central-west Miami Gardens generally have the highest concentrations of residents in the labor force (Figure 9). The lightest green shaded areas show where the labor force in the city is 44.9% persons or less, and the percent increases as the shade darkens. Labor force participation tends to be higher where incomes are higher, as one might expect, but there are some exceptions. For example, the Census block group bounded by NW 27<sup>th</sup> Avenue to the east and by NW 191<sup>st</sup> Street to the south has among the highest labor force participation rates and lowest median incomes in the City.



## D. HOUSING

Miami Gardens had an estimated 35,154 housing units in 2014 according to the ACS 5-Year Estimates, with 26,703 units in structures with 4 or fewer units, 8,110 units in structures with 5 or more units, and 341 mobile homes. Single-family detached homes are by far the most common housing type in the City, accounting for 67.6% of units (23,770 units). Units in structures with 20 or more units (large apartment and condominium complexes) are the second most common housing type, accounting for 12.9% of units (4,550 units).

Of the 35,154 total units reported in the 2014 ACS, an estimated 31,365 units were occupied (89.2%), leaving 3,789 units (10.8%) vacant. The 2000 Census reported a vacancy rate of 5.6% for the areas that now comprise Miami Gardens, which means the vacancy rate has nearly doubled in the last decade. Of the total occupied units in 2014, approximately 20,920, or 66.7%, were owner-occupied, while 10,445, or 33.3%, were renter occupied. This is a reduction in both owner occupied units and percentage of units occupied by homeowners in the areas comprising Miami Gardens since the 2000 Census, which was 22,052 and 75%, respectively.

**Table 7: Age of Miami Gardens Housing Units**

Year Structure Built	Number of Units	% of Units
2010 or Later	47	0.1%
2000-2009	2,996	8.5%
1990-1999	2,430	6.9%
1980-1989	2,962	8.4%
1970-1979	7,111	20.2%
1960-1969	8,258	23.5%
1950-1959	10,297	29.3%
1940-1949	852	2.4%
1939 or Earlier	201	0.6%
<b>Total</b>	35,154	35,154
Data Source: American Community Survey 2010-2014 5 Year Estimates (DP04)		

Table 7 above provides data on the age of the housing stock for Miami Gardens. The largest cohort of housing units – 29.3% of units - were built between 1950 and 1959, while the second

largest cohort (23.5%) was built between 1960 and 1969.

### Housing Costs and Cost Burden

In 2014 the median gross monthly rent for renter-occupied units in the City was approximately \$1,069, which is an increase of 11.4% when compared to the 2010 ACS (\$960). This increase is higher in comparison to Miami-Dade County as a whole where the median rent is \$1,098, a 9.4% increase from 2010.

The value of owner-occupied Miami Gardens units decreased substantially from the 2010 5-year ACS to the 2014 5-year ACS. The estimated median home value was \$203,100 in 2010 and \$129,200 in 2014, compared to \$194,100 for Miami-Dade in 2014<sup>4</sup>. In Miami Gardens approximately 60.3% of owner-occupied units are valued at less than \$150,000.

Shimberg Center data on home sales captures trends in real time more effectively than 5-year ACS data, and shows that median sale prices for single-family homes and condominiums increased slightly between 2010 and 2014, from \$117,894 to \$122,930<sup>5</sup>. The 2014 median sale price in Miami Gardens is an appreciable increase over the 2010 median price of \$98,908.

HUD considers households to be “cost burdened” if they pay more than 30% of their incomes on housing costs, including rent or mortgage payments, utilities, property taxes, and homeowner association or condominium fees, as applicable. Approximately 70.9% of the total renters in 2014 paid more than 30% of household income for gross housing costs, making them “cost burdened” according to HUD. Moreover, almost 62% of renters are paying 35% or more of their incomes to housing. The situation is slightly better for homeowners with a mortgage, of which approximately 59% were cost-burdened, with 49.3% of all homeowners with a mortgage paying 35% or more of their incomes for housing. By contrast, among homeowners without a

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<sup>4</sup> Note that trends in 5-year ACS data lag behind trends in real time, since these numbers are 5-year averages. Nonetheless, 5-year ACS data is generally better than 1-year ACS data for cities of Miami Gardens’ size, since the former has smaller margins of error.

<sup>5</sup> Data on mobile home sales is not available. Shimberg Center data for Miami Gardens home sales does not differentiate between sales to owner-occupiers and sales to investors.

mortgage, only about 18.2% are cost burdened, with 13.3% paying 35% or more of their incomes for housing. These numbers, shown in Table 8, indicate that a majority of the housing within the City is not affordable to its residents.

**Table 8: Housing Costs as a Percentage of Income for Miami Gardens Households**

Share of Income Spent on Housing Costs	Renters		Homeowners with a Mortgage		Homeowners without a Mortgage	
	Number	%	Number	%	Number	%
Units	9,258	9,258	14,650	14,650	5,942	5,942
Less than 19.9 percent	1049	11.4%	2,998	20.5%	3,992	67.2%
20.0 to 24.9 percent	835	9.0%	1,555	10.6%	553	9.3%
25.0 to 29.9 percent	810	8.7%	1,448	9.9%	315	5.3%
30.0 to 34.9 percent	847	9.1%	1,423	9.7%	293	4.9%
35.0 percent or more	5,717	61.8%	7,226	49.3%	789	13.3%
Not computed	1,187	(X)	185	(X)	143	(X)
Data Source: American Community Survey 2010-2014 5 Year Estimates (DP04)						

### Additional Housing Problems

*(Note: This section is adapted from the Data, Inventory & Analysis section of the Miami Gardens Comprehensive Development Master Plan – Housing Element.)*

Several measures may be used to evaluate housing stock and living conditions within the City, including age of structure, overcrowding, lack of certain necessary facilities, structural integrity, and Florida Building Code requirements. Specific indicators of substandard housing or living conditions for each of the above measures are as follows:

1. **Age of Structure:** A housing unit constructed prior to 1950, which is valued at less than \$25,000. According to the 2010-2014 ACS, there are 1,053 units (3% of the housing stock) within

the City that were constructed prior to 1950. There are also 1,433 specified owner-occupied units (6.8% of the total) in Miami Gardens valued at less than \$50,000 in 2014.

**2. Lacking Facilities:** A housing unit lacking complete plumbing facilities, heating and cooking facilities, and/or complete kitchen facilities. The 2010-2014 ACS reported that high percentages of the year-round housing stock had complete plumbing facilities (99.7%) and complete kitchen facilities (99.6%). Due to the high level of availability, it is concluded that “lack of facilities” does not, in itself, raise any issues regarding overall substandard living and housing conditions within the City.

**3. Over-Crowding:** 1.01 persons per room or more within a dwelling unit. According to the 2010-2014 ACS, there were an estimated 1,952 households, or 6.3% of the total, reporting occupancy of more than 1.0 person per room in the City.

**4. External Housing Conditions:** A housing unit categorized as either of the following by the City of Miami Gardens.

- **Deteriorated:** Meaning in need of some relatively minor exterior repair, which is indicative of a lack of maintenance. Examples include: housing that requires painting, fascias and soffits showing signs of deterioration, cracked and broken windows, and even severely overgrown yards, which is generally accompanied by a lack of structural maintenance.
- **Dilapidated:** Meaning in need of substantial rehabilitation. The unit may be considered to be unfit for human habitation or rapidly approaching that condition. This category of substandard housing needs to be addressed immediately, through either rehabilitation or demolition, as the health and safety of the inhabitants may be endangered.

A general survey oriented to evaluating external housing conditions has not been completed since incorporation in 2003.

**5. Code Violations:** The City has adopted the Florida Building Code (Miami-Dade & Broward Edition) that incorporates the following definition for an unsafe structure:

- A building deemed a fire hazard, as a result of debris or other combustible material, creates a hazard, vacant and unguarded; or
- A building deemed structurally unsafe by design or deterioration, partially destroyed, unsafe or lack of adequate plumbing, inadequate or unsafe electrical, inadequate waste disposal system or lack of a building permit.

The analysis conducted by the City concluded that, while “age of structure” and “value,” in combination, do not raise any immediate issues regarding overall substandard living and housing conditions, vigilant code enforcement and conservation efforts will need to be undertaken as a means to preserve the City’s affordable housing stock.

Given significant changes in home values and rental rates since the 2000 Census, increases in housing production costs, the current mortgage and credit climate and the continued reduction of federal funding to local jurisdictions, the City’s ability to produce affordable housing opportunities for its residents will be adversely impacted.

### [Housing and Neighborhood Revitalization Resources](#)

The City of Miami Gardens Department of Community Development utilizes the grant funds it receives from federal and state government sources to help meet local housing needs and promote the development of a viable urban community. The primary objective of this Department is to provide decent housing, a suitable living environment and the expansion of economic opportunities for the neediest residents. The Department serves the City’s very low-, low- and moderate-income residents by carrying out a wide range of housing and community development activities such as Homeownership Assistance, Housing Rehabilitation and Emergency Housing Rehabilitation.

The Statutes and Regulations detailed on the following pages govern the Department's housing programs.

**CDBG Program (Community Development Block Grant):**

Federal Statute: Title 1- The Housing and Community Development Act of 1974. 42 U.S.C.-5301

Regulations: 24 CFR 570

**SHIP Program (State Housing Initiatives Partnership):**

Florida Statute: Chapter 420.907

Regulations: Florida Housing Finance Corporation Rule Chapter 67-37

**NSP (Neighborhood Stabilization Program):**

Federal Statutes:

- [Section 1497 of the Dodd-Frank Wall Street Reform and Consumer Protection Act: Additional Assistance for Neighborhood Stabilization Program \[2010\]](#)

This Act is the authorizing legislation for the third round of funding for NSP. The law allocates \$1 billion in NSP3 funding. It also amends the 25 percent set-aside requirement by removing the restriction that allows only abandoned or foreclosed upon homes or residential properties to be used to meet this requirement. Instead, NSP grantees may also use vacant or demolished property to meet the set-aside requirement as well.

- [Division B, Title III of the Housing and Economic Recovery Act \(HERA\) of 2008 -Emergency Assistance for the Redevelopment of Abandoned and Foreclosed Homes](#)

This Act is the authorizing legislation for NSP. The law allocates \$3.92 billion in NSP1 funding. It also includes requirements related to allocations, timeliness, eligible activities, income eligibility, national objectives, program income, relocation, purchase discounts, affordability and sales price, and other requirements.

Regulations: Since NSP is a component of the Community Development Block Grant (CDBG) Program, the CDBG regulatory structure is the platform used to implement NSP. The regulations

created by HUD's Office of the Assistant Secretary of Community Planning and Development that pertain to Community Development programs are contained within 24 CFR Part 570. NSP is governed by CDBG regulations except where specifically waived.

The City of Miami Gardens uses the funding sources governed by the statutes and rules above to provide the following housing programs:

**Housing Rehabilitation Program:**

The City's Housing Rehabilitation Program is currently funded by CDBG and provides assistance for low- to moderate-income residents Citywide. Given the age of the City's housing stock, priority is placed on disaster mitigation and weatherization, improving energy efficiency in these units by replacing central air conditioning and insulation that are no longer energy efficient, and addressing building and/or code violations when feasible, along with meeting Housing Quality Standards (HQS).

**Homeownership Assistance Program:**

The City's purchase assistance program provides financial assistance which can be used toward principal reduction and to pay for reasonable closing cost to low- to moderate-income first-time homebuyers using SHIP funding. Buyers purchasing single-family homes, townhomes, twin homes and condominiums are eligible for the program. Under the current Local Housing Assistance Plan (LHAP) governing the use of SHIP funds in Miami Gardens, the first \$10,000 of homeownership assistance is provided as a 0% interest, deferred payment, forgivable loan, while any assistance above that amount is provided as a 0% interest amortized loan.

**Emergency Rehabilitation Program:**

Funded by SHIP, this program provides emergency repair assistance to low- and moderate-income homeowners to carry out limited repairs to immediately rectify hazardous conditions that threaten the life, safety and health of the occupants. Funding is provided in the form of a deferred payment loan which is forgiven at maturity.

**Neighborhood Stabilization Program (NSP):**

Under NSP, the City purchases and rehabilitates foreclosed and abandoned homes that are sold to low- and moderate-income buyers at the lesser of appraised value or total development costs. Although the City no longer receives an allocation of NSP funding, program income is still available for use.

**Partnerships:**

The City's affordable housing programs are made possible by its partnerships with a variety of public and private organizations, particularly mortgage lending partners and homebuyer counseling agencies. To qualify for home purchase assistance, homebuyers must be approved for a loan by one of the City's approved mortgage lenders. Potential homebuyers and homeowners also benefit from the counseling services offered by several HUD-approved agencies in Miami Gardens. These services include, but are not limited to, homebuyer education courses, money and debt management, post-purchase counseling and education on predatory lending.

**Public and Assisted Housing**

Public housing units and Housing Choice Vouchers (Section 8) are another important affordable housing resource in Miami Gardens. The City is included in the service area of the Miami-Dade County Public Housing and Community Development (PHCD) department. PHCD was formed by the 2011 merger of the former Miami-Dade Public Housing Agency (MDPHA) and Miami-Dade County's Housing and Community Development (HCD) Department. As the sixth largest housing agency in the nation, PHCD administers nearly 10,000 public housing units and about 16,000 Housing Choice Vouchers. Miami Gardens has 57 public housing units in three developments, as shown in Table 9. In half of the City's Census tracts (including parts of Census tracts that extend beyond the City limits), vouchers are used in 20.44% or more of the rental units present, as shown in Figure 10.



**Table 9: Public Housing in Miami Gardens**

Public Housing Development	Number of Units
Venetian Gardens	52
FHA scattered-site homes	4
Gwen Cherry / New Haven Garden scattered-site unit	1

PHCD is not currently designated by HUD as a “troubled” Public Housing Authority. The former MHDP was taken into HUD receivership in late 2007, and local control was returned in January 2009. The agency’s merger with the Housing and Community Development Department has helped to focus future planning efforts as well as current operations. PHCD’s most recent Public Housing Assessment System (PHAS) score for the quality of its public housing stock and management, calculated for the fiscal year ending 9/30/2013, is 65 out of 100 possible points and is designated “Substandard Management”. The agency’s Section 8 Management Assessment Program (SEMAP) score, which measures the effectiveness of waitlist management, the physical quality of voucher units, and the quality of financial management, was 93% in the fiscal year ending 9/30/2015, high enough for PHCD to earn a “high performer” designation from HUD.

According to PHCD, the physical condition of the units at the present time is good. All units are inspected annually and meet the Housing Quality Standards as set by HUD’s Real Estate Assessment Center. PHCD has a (5) Year Capital Fund Plan (CFP) which satisfies the physical needs of its properties, including appliance upgrades and safety and security features. In addition to ongoing maintenance and improvement of properties, PHCD encourages tenants to form Resident Councils; works with residents, law enforcement, and social service providers to reduce crime in public housing; and helps residents connect with jobs and social services. The Agency also allows up to 200 Family Self-Sufficiency (FSS) program participants to participate in the Section 8 Tenant-Based Homeownership Program, and is applying for a Resident Opportunities and Self-Sufficiency (ROSS) grant. Currently, 198 families are enrolled in the FSS program.

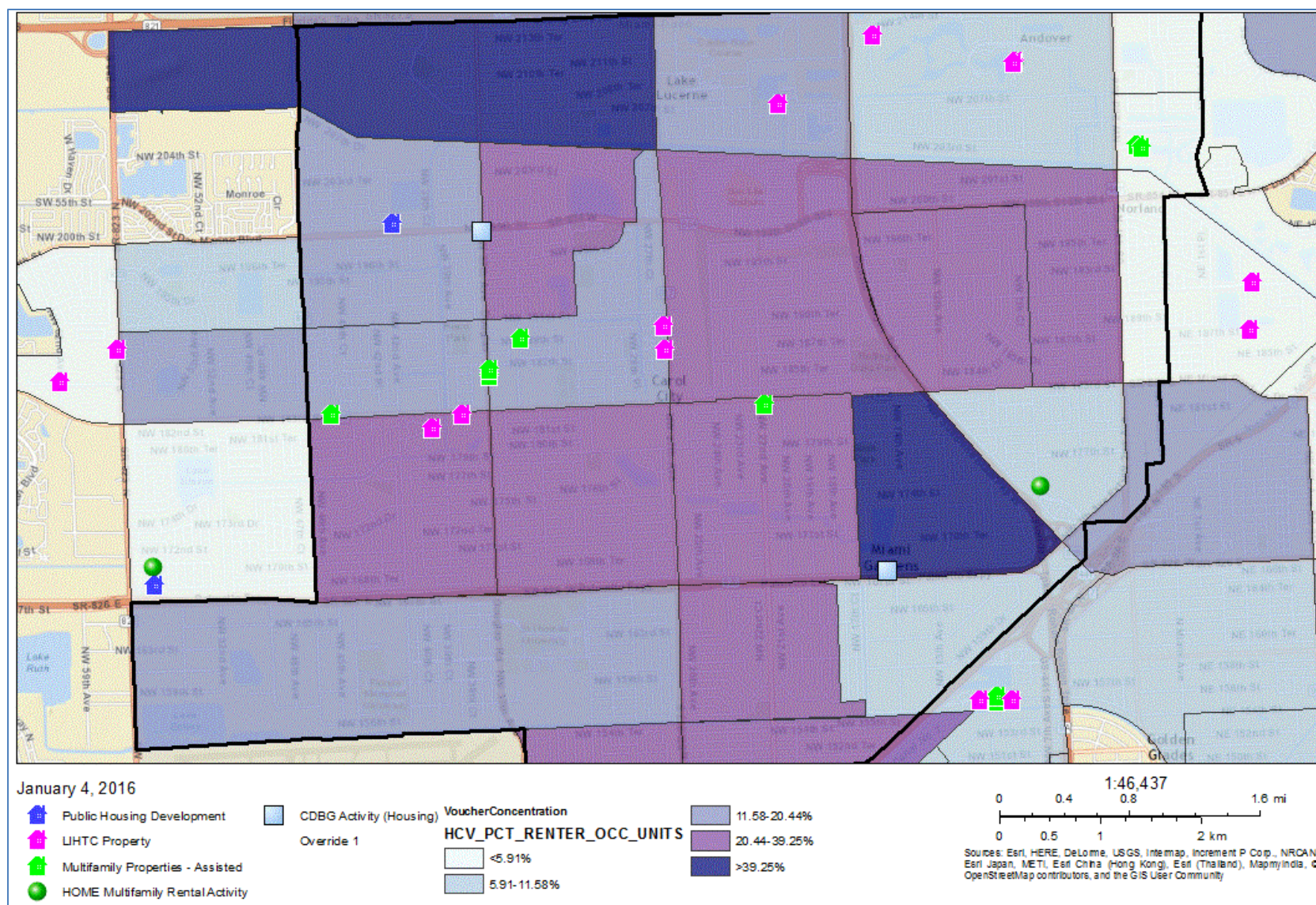


Figure 10: Public and Assisted Housing in Miami Gardens

As a Public Housing Authority, PHCD is subject to Section 504 of the Rehabilitation Act of 1973 (Section 504), and to Title II of the Americans with Disabilities Act (ADA). Section 504 provides that no qualified individual with a disability should, only by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Title II of the ADA bars state and local government entities from discriminating against people with disabilities, and requires that public housing providers make reasonable accommodations for tenants with disabilities.

PHCD has a Voluntary Compliance Agreement (VCA) with HUD to make its offices, public housing dwellings and non-housing programs accessible to people with disabilities, thereby complying with the requirements of Section 504 and the Americans with Disabilities Act (ADA). To date, PHCD has brought 378 units into compliance with Uniform Federal Accessibility Standards (UFAS), out of the 459 units ultimately required by the VCA.

In addition to implementing a VCA, PHCD is required to provide reasonable accommodations in its housing programs and services to persons with disabilities. A reasonable accommodation is a change, modification, alteration or adaptation in a policy, procedure, practice or program of a housing facility that provides a qualified individual with a disability the opportunity to participate, or benefit from, a housing or non-housing program or activity. For example, a PHA is customarily required to allow tenants with disabilities to keep service animals even if the development does not allow pets. Applicants and residents receive documents at move-in and annual recertification that advise them about their disability-related rights.

In accordance with HUD's Equal Access Rule and PIH Notice 2014-20 and the policies of Miami-Dade County, PHCD has revised its definition of "family" to provide equal access regardless of actual or perceived sexual orientation, gender identity, gender expression or marital status. If a complaint is received, PHCD will determine if a program violation has occurred and implement appropriate corrective actions.



PHCD's waitlists for public housing, moderate rehabilitation developments, and Housing Choice Vouchers are currently closed. The Housing Choice Voucher waitlist was created in 2008 and includes over 72,000 households countywide. Table 10 shows PHCD waitlist data for household heads who live in the six zip codes that encompass the City of Miami Gardens (33054, 33055, 33056, 33169, 33179, 33014). The typical head of a waitlist household from one of these zip codes is African-American, not Hispanic or Latino, and between the ages of 26 and 50.

**Table 10: Household Heads in Miami Gardens Zip Codes on Waitlists for Public Housing or Housing Choice Vouchers (Section 8)**

Demographic	Public Housing		Section 8	
Race				
White	9.6%	125	16.2%	1,104
Black	89.3%	1,158	83.1%	5,660
Native American / Alaska Native	0.5%	6	0.3%	19
Asian	0.3%	4	0.2%	12
Native Hawaiian / Pacific Islander	0.2%	2	0.2%	12
Other	0.2%	2	0.1%	5
Ethnicity				
Not Hispanic or Latino	88.1%	1,143	80.5%	5,483
Hispanic or Latino	11.8%	153	19%	1,294
Other	0.1%	1	0.5%	35
Age				
Age 0-25	2.7%	35	1.5%	105
Age 26 -50	74.8%	970	72.7%	4,953
Age 51-75	21.9%	284	22%	1,499
Age 76+	0.6%	8	3.6%	247
Waiting List Totals	1,297		6,812	

Source: PHCD 4/1/16

## Homelessness

The City of Miami Gardens is part of the Miami-Dade Continuum of Care (CoC), for which the lead agency is the Miami-Dade County Homeless Trust (the “Homeless Trust”). The Homeless Trust was created by Miami-Dade County’s governing body, the Board of County Commissioners (BCC), in 1993 to administer the proceeds of the local 1% Food and Beverage Tax and other funding streams to provide a unique, local dedicated source of funding for homeless programs.

Their mission was to implement the Miami-Dade Community Homeless Plan, which was created that same year. In 2004, the Homeless Trust developed a Ten Year Plan to End Homelessness in Miami-Dade County. These additional strategies are incorporated into the Miami-Dade County Homeless Plan, which is updated on a regular basis.

In Miami Gardens, the only provider of services targeted to homeless populations is Del Prado Gardens, a permanent supportive housing development owned by Carrfour Supportive Housing. Moreover, the City does not directly receive funding from HUD's Emergency Solutions Grant, a CPD program that funds rapid re-housing, shelter, and outreach activities. However, people who become homeless in Miami Gardens have access to shelter, housing, and supportive services in other parts of northern Miami-Dade County.

**Table 11: Selected Homeless Populations and Subpopulations in Miami-Dade County**

Population or Subpopulation	Number (Percent) of Total Homeless Population
Persons in households with at least one adult and one child	1,432 (34%)
Severely mentally ill	1,181 (28%)
Chronic substance abuse	811 (20%)
Veterans	236 (6%)
People with HIV/AIDS	114 (3%)
Victims of domestic violence	218 (5%)
Unaccompanied youth	150 (4%)

In the 2015 annual Point-in-Time (PIT) Count, conducted in late January, the CoC identified 24 homeless people in Miami Gardens, all of whom were unsheltered. All but one of these individuals were white, and eight (one-third) were chronically homeless. However, in a moderate-sized community with no emergency shelters or transitional housing, the homeless population identified during annual PIT Counts is likely to be highly variable and unrepresentative of who actually becomes homeless in the community. Countywide data for the 2015 PIT Count shows that African-Americans are overrepresented in the homeless population (54%, compared to 20% of the County's overall population) while Hispanics and Latinos are underrepresented (35%, compared to 65% of the County's overall population). Chronically

homeless populations comprise 13% of the County's homeless population. Additional Countywide data is shown in Table 11 above.

The CoC's Coordinated Outreach, Assessment and Placement (COAP) program helps connect homeless Miami-Dade County residents, including those in Miami Gardens, with the most appropriate interventions. Citrus Health Network and Jackson Memorial Hospital, two health care providers with service areas that include Miami Gardens, participate in a Memorandum of Agreement as part of the COAP, wherein they refer patients being discharged into homelessness to the Homeless Trust's outreach teams in order to access shelter.

In 2009, the City of Miami Gardens joined Miami, North Miami, and Miami-Dade County in contributing Homelessness Prevention and Rapid Re-Housing Program (HPRP) funds for the creation of the Housing Assistance Network of Dade (HAND). HPRP was a time-limited HUD funding program designed as a response to the Recession, and is no longer available. However, Citrus Health Network continues to operate HAND's homelessness prevention and rapid re-housing programs with funding from the Homeless Trust and the State of Florida. Staff from the City of Miami Gardens continue to attend the Homeless Trust's Continuum of Care subcommittee meetings.

## E. TRANSPORTATION

*(Note: This section is adapted from the Miami Gardens Comprehensive Development Master Plan – Transportation Element)*

Miami Gardens is centrally located in the region. The boundaries are from I-95 and NE 2nd Avenue on the east; NW 47th Avenue and NW 57th Avenue on the west; County Line Road on the north; and NW 151st Street on the south. This location at the border of Miami-Dade and Broward Counties makes Miami Gardens extremely accessible, and a viable residential and business destination. The City is easily accessed by I-95, the Palmetto Expressway (SR 826), and the Florida Turnpike, as well as numerous other County and State surface roads that form a

relatively uninterrupted grid through the City.

There are many levels of connectivity in Miami Gardens, from major interstates, regional rail transit, and sub-regional County and State roads, to prevalent pedestrian and bicycle facilities. The CSX tracks, located along the southeast boundary of the City, are the only rail facility located within the City of Miami Gardens. The tracks carry the TriRail trains through the Golden Glades Interchange between the Miami International Airport and west Palm Beach County. There are no airports or seaports within the City of Miami Gardens. However, the Opa-Locka Airport is located immediately adjacent to the City limits.

**Table 12: Transportation to Work for Miami Gardens Residents**

Transportation Type	Number of Workers	% of Workers
<b>Workers 16 years and over</b>	<b>44,352</b>	<b>100%</b>
Car, truck, or van -- drove alone	35,079	79.1%
Car, truck, or van -- carpooled	4,378	9.9%
Public transportation (excluding taxicab)	3,106	7.0%
Walked	435	1.0%
Other means	556	1.3%
Worked at home	798	1.8%
Data Source: 2010-2014 American Community Survey 5-Yr Estimates (DP03)		

Miami Gardens is served by several bus lines, including 11 routes operated by the Miami-Dade Metrobus system and 4 routes operated by Broward County Transit (not including express routes). However, Miami-Dade County has a car-dependent culture, and only 7% of Miami Gardens residents commute to work by public transit (see Table 12 above). For workers without automobiles, commuting by bus can be time-consuming and inconvenient. Additionally, the Transportation Element of Miami Gardens' Comprehensive Development Master Plan, last updated in 2006, identified the need for a local circulator route. The City launched a pilot trolley circulator in June 2015, which has become a permanent free trolley that has had over 31,000 riders in its first year.

Overall, Miami Gardens is highly accessible with automobile, bus and rail transit. Table 13 below shows commute times for workers who live in the City of Miami Gardens.

**Table 13: Travel Time to Work for Miami Gardens Residents**

Travel Time to Work (Commute)	Percentage
<b>Workers 16 years and over who did not work at home</b>	<b>43,554 (100%)</b>
Less than 10 minutes	3.5%
10 to 14 minutes	8.2%
15 to 19 minutes	11.8%
20 to 24 minutes	17.8%
25 to 29 minutes	7.1%
30 to 34 minutes	23.0%
35 to 44 minutes	11.0%
45 to 59 minutes	10.0%
60 or more minutes	7.6%
Mean travel time to work (minutes)	29.8
Data Source: American Community Survey 2010-2014 5 Year Estimates (S0801)	



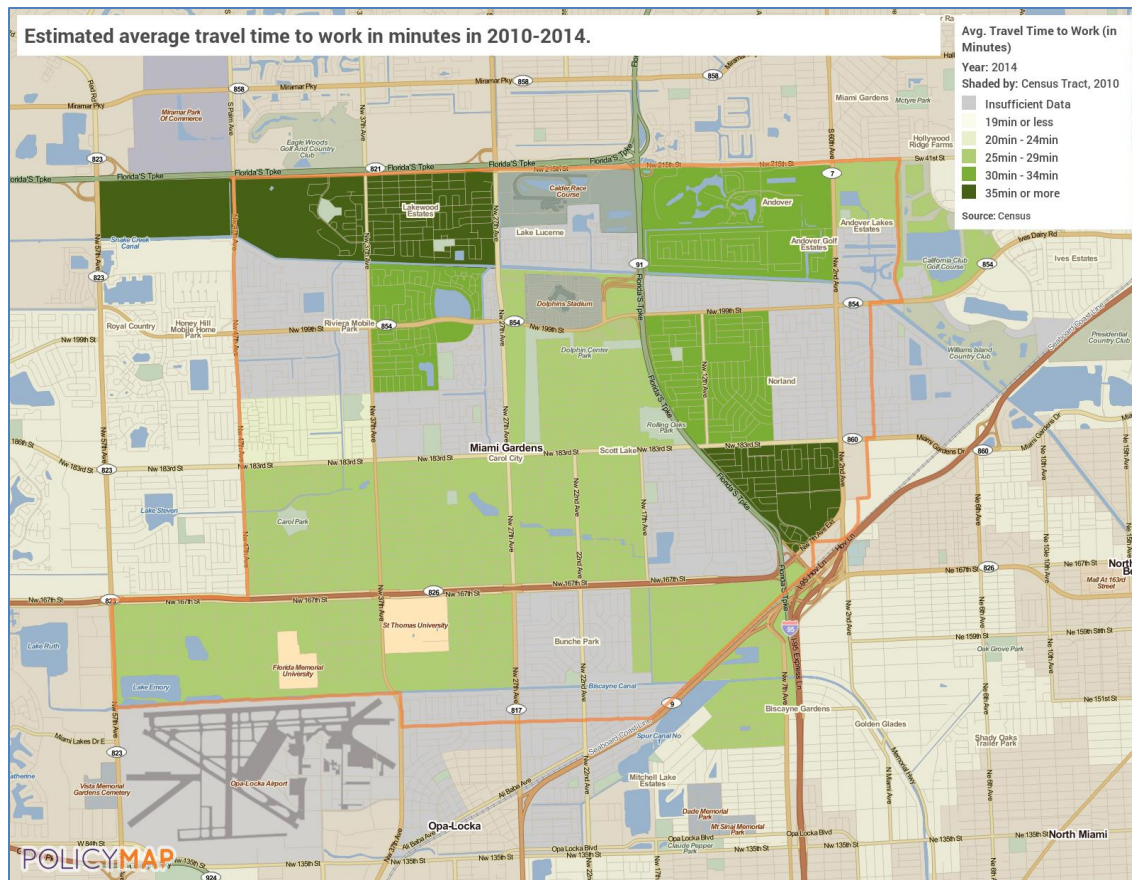


Figure 11: Mean Travel Time to Work by Census Tract in Miami Gardens

According to the 2014 ACS, the mean travel time to work was 29.8 minutes, although mean travel time to work varies across the City (Figure 11). As determined by Census Tracts, areas in the northwest part of the City and one area in the east have average travel times to work of more than 35 minutes.

## F. GOVERNMENT STRUCTURE

The City has a “Mayor-Council-Manager” form of government. The City Council, which consists of the Mayor and six (6) Council members, is vested with all legislative powers of the City. The Mayor is a voting member of the Council and presides over its meetings. The City Manager is the chief administrative officer of the City and is responsible for carrying out the policies adopted by

the Council<sup>6</sup> (See Attachment 1- City of Miami Gardens Organizational Chart).

The Consolidated Plan regulations (24 CFR 91) require that the City of Miami Gardens complete the Fair Housing Planning, which includes the completion of an *Analysis of Impediments to Fair Housing Choice*. The Miami Gardens City Council acts as the final authority for the appropriation of funds for Annual Action Plan activities under the Consolidated Plan grant programs, following the recommendations of the City Manager. The City of Miami Gardens Community Development Department is the lead administrative agency for the Consolidated Plan programs. The Department provides fiscal and regulatory oversight of all CDBG funding, as well as other federal and state grants for housing, economic, and community development.

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<sup>6</sup> City of Miami Gardens, City Charter

### III. JURISDICTION'S FAIR HOUSING PROFILE

Expanding fair housing choice in a community depends on multiple components, including education about fair housing laws for residents, housing providers, lenders, and other stakeholders; an efficient system for victims of housing discrimination to file complaints; and effective enforcement of fair housing laws. In reality, knowledge of fair housing laws and processes is low in many communities, many instances of discrimination are never reported, and many fair housing complaints are never adjudicated. By examining each component of its fair housing system and reviewing data on complaints, lawsuits, and lending disparities, a community comes closer to understanding the full scope and nature of its fair housing problems and identifying gaps to be closed in the enforcement system.

This section begins by reviewing the legal and institutional framework for fair housing enforcement in Miami Gardens, and the gaps therein. We discuss public knowledge of this framework, drawing on survey data to address the nature of perceived housing discrimination and gaps in public understanding of fair housing. We then review instances of perceived fair housing discrimination in Miami Gardens that have risen to the level of a formal complaint or a lawsuit in recent years. Local home lending data is reviewed to assess whether mortgage-lending patterns reveal further evidence of discrimination. Finally, this section assesses the impact of the City's land use policy and regulatory framework on fair housing choice.

#### A. FAIR HOUSING ENFORCEMENT

Housing activities in Miami Gardens are regulated by federal, state, and local fair housing laws, each with their own enforcement agencies. State and local fair housing enforcement agencies, in addition to enforcing the laws in their own respective jurisdictions, are also intended to help enforce fair housing laws at higher levels of government. These agencies should collaborate with each other and with other fair housing agencies, such as nonprofit advocacy groups, to provide a streamlined system for members of the public who believe they have experienced discrimination and wish to file a complaint. The federal, state, and local framework for fair housing

enforcement in Miami Gardens is described below.

**Federal:**

The Federal Fair Housing Act<sup>7</sup> prohibits discrimination on the basis of race, color, national origin, religion, sex, familial status, and disability. The U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity (FHEO), is charged with enforcing the Federal Fair Housing Act as well as other civil rights laws including Title VI of the Civil Rights Act of 1964, Section 109 of the Housing and Community Development Act of 1974, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, Title IX of the Education Amendments Act of 1972 and the Architectural Barriers Act of 1968. The Fair Housing Act contains administrative enforcement mechanisms, giving HUD the authority to investigate, conciliate and charge claims of housing discrimination filed under the Act.

In addition, HUD FHEO administers the Fair Housing Assistance Program (FHAP) and the Fair Housing Initiatives Program (FHIP). FHEO also publishes guidance on fair housing compliance, establishes fair housing and civil rights policies for HUD programs, and monitors those programs for compliance.

Complaints filed with HUD are investigated by FHEO and if the complaint is not successfully conciliated, then FHEO determines whether reasonable cause exists to believe that a discriminatory housing practice has occurred. Where reasonable cause is found, the parties to the complaint are notified by HUD's issuance of a Determination, as well as a Charge of Discrimination, and a hearing is scheduled before a HUD administrative law judge (ALJ). Either party – complainant or respondent – may cause the HUD-scheduled administrative proceeding to be terminated by electing instead to have the matter litigated in federal court. Whenever a party has so elected, the Department of Justice takes over HUD's role as counsel seeking resolution of the charge on behalf of aggrieved persons, and the matter proceeds as a civil

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<sup>7</sup> Title VIII of the Civil Rights Act of 1968, 42USC3601

action. Either form of action – the ALJ proceeding or the civil action in federal district court – is subject to review in the U. S. Court of Appeals<sup>8</sup>.

**State:**

The right to equal opportunity in housing is ensured not only by the Fair Housing Act, but also by State and local laws. The Florida Fair Housing Act<sup>9</sup>, FS 760.20-760.37, parallels the Federal Fair Housing Act. The Florida Commission on Human Relations (FCHR) is a Fair Housing Assistance Program (FHAP) agency that enforces Florida's state fair housing law, which has been deemed by HUD to be "substantially equivalent" to the Federal Fair Housing Act. The FCHR promotes and encourages fair treatment and equal opportunity for all persons regardless of race, color, religion, sex, national origin, age, handicap, or marital status.

FHAPs enable HUD to use the services of substantially equivalent State and local agencies in the enforcement of fair housing laws, and to reimburse these agencies for services that assist in carrying out the spirit and letter of the federal Fair Housing Act. While certification results in a shift in fair housing enforcement power from the federal government to the State or locality, the substantive and procedural strength of the federal Fair Housing Act is not compromised.

When HUD receives a complaint alleging violations of a State or local fair housing law administered by an interim certified or certified agency, HUD will generally refer the complaint to the agency for investigation, conciliation and enforcement activities. Fair housing professionals being based in the locality where the alleged discrimination occurred benefits all parties to a housing discrimination complaint. These individuals often have a greater familiarity with local housing stock and are in closer proximity to the site of the alleged discrimination, offering greater efficiency in case processing.

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<sup>8</sup> [www.hud.gov/fairhousing](http://www.hud.gov/fairhousing)

<sup>9</sup> State of Florida, Civil Rights Statutes, Title XLIX, Chapter 760.2

## Florida Commission on Human Relations

**Address:** 2009 Apalachee Parkway, Suite 100

Tallahassee, FL 32301-4857

**Phone:** (850) 488-7082

### Local:

Miami-Dade County's Human Rights Ordinance<sup>10</sup> is codified as Chapter 11A of the [Miami-Dade County Code](#), as amended. The ordinance prohibits discrimination against any person in Miami-Dade County in the area of employment, family leave, public accommodations, credit and financing practices, and housing accommodations on the basis of race, color, religion, ancestry, national origin, age, sex, pregnancy, disability, marital status, familial status, gender identity, gender expression, sexual orientation, and/or status as a victim of domestic violence, dating violence, or stalking. Further, discrimination in housing based on source of income is also prohibited.

The Miami-Dade County Commission on Human Rights (CHR), a quasi-judicial board charged with the enforcement of Chapter 11A, was originally established as the Fair Housing Commission by Ordinance 69-25, which passed on June 18, 1969 and was later renamed the Fair Housing and Employment Appeals Board. Subsequent amendments added more protections from discrimination for residents of Miami-Dade County and defined case processing and enforcement authority. In April 1990, the Fair Housing and Employment Appeals Board was reestablished as the Equal Opportunity Board. In June of 2009, the Equal Opportunity Board was reestablished as the CHR. The Human Rights and Fair Employment Practices Division of the Miami-Dade County Human Resources Department staffs the CHR.

The CHR investigates allegations of discrimination under state, federal and local laws. After the filing of a formal complaint of discrimination, the CHR staff conducts an investigation into the allegations raised in the charge. The investigation may entail the taking of testimony from the

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<sup>10</sup> Miami Dade County Ordinance No.90-32, Chapter 11A, Article II

parties and witnesses, the inspection of documents, site visitations to the respondent's facilities and fact-finding conferences. During this process, early resolution is encouraged through mediation efforts. If the charge is not settled, the Director of the CHR issues a determination of probable cause or no probable cause. Any of the parties to an investigation may appeal the Director's determination. An appeal is heard by a hearing panel consisting of three or more members of the CHR board or a hearing officer at a public hearing. The panel or officer may uphold, modify or overturn the Director's determination. After a finding of discrimination, the chairperson, with the approval of a quorum of the board members, issues an adjudicative final order including, but not limited to: 1) hiring, reinstatement or promotion, with accrued seniority and benefits, and with back pay; 2) taking affirmative action and making corrections; 3) requiring reasonable accommodations; 4) awarding costs and attorney's fees to a prevailing party; and 5) other quantifiable relief to a prevailing complainant for injuries incurred as a result of an act prohibited by Chapter 11A.

Unlike the state fair housing law, the Miami-Dade County ordinance currently does not have substantial equivalency certification from HUD. Substantial equivalency certification results in housing discrimination cases having the benefit of State or local complaint processing. At the same time, the process assures that the substantive and procedural strength of the federal Fair Housing Act will not be compromised.

#### **MIAMI-DADE COUNTY COMMISSION ON HUMAN RIGHTS**

**Address:** Stephen P. Clark Center 111 NW 1st St., 21<sup>st</sup> Floor  
Miami, FL 33128

**Phone:** 305-375-5272 or 305-375-2784

**Fax:** 305-375-2114 or 305-372-6017

**E-mail:** [ofep@miamidade.gov](mailto:ofep@miamidade.gov)  
[cmg613@miamidade.gov](mailto:cmg613@miamidade.gov)

Miami-Dade County residents can also report fair housing complaints through the County

government's 3-1-1 Contact Center. Customer service on the 311 hotline is available in English, Spanish, and Creole, and residents can initiate requests for help with fair housing issues, among other services. However, there is conflicting information regarding 311's role in handling Fair Housing complaints. 311 Senior Specialist, Ann M. Collada-Gordillo, reports that 311 refers these complaints to HOPE, Inc., while Erin A. New, Esq., Director of the Human Rights & Fair Employment Practices Division of the Miami-Dade County Human Resources Department, reports that 311 refers complaints to her department.

#### **Private Organizations:**

Housing Opportunities Project for Excellence (HOPE), Inc. is a private, non-profit fair housing organization, incorporated in 1988, with a mission to fight housing discrimination in Miami-Dade and Broward Counties and to ensure equal housing opportunities throughout the state of Florida. HOPE was created by the Miami-Dade County Fair Housing and Employment Appeals Board (now the Miami-Dade County Equal Opportunity Board - MDCEOB) utilizing funding from HUD's Fair Housing Assistance Program, Type II grant. The organization has been engaged in testing for fair housing law violations; pursuing enforcement of meritorious claims; and carrying out fair housing education, outreach, and counseling programs designed to prevent and eliminate discriminatory housing practices in Miami-Dade and Broward Counties for over 25 years.

HOPE's Private Enforcement Initiatives are primarily funded by grants from HUD's Fair Housing Initiative Program (FHIP). The main components of the initiative include: intake for complaint processing or referral, testing and additional investigation, where appropriate, and supervised referral of enforcement proposals (complaints that have been reviewed for jurisdiction by applicable fair housing laws, supported with credible and legitimate evidence) for enforcement action.

HOPE, Inc. is the only entity in Miami-Dade and Broward counties engaged in "testing". Testing is a controlled method for measuring and documenting whether differences occur in the quality,



content, and quantity of information and services given to various home seekers by housing providers. Testing is an effective and accurate tool in identifying policy or procedural oversight or infraction that may require corrective action.

For litigation or settlement of housing discrimination cases, HOPE, Inc. enlists private law firms and attorneys to contribute their services, on a pro bono basis. While governmental entities/agencies represent the public interest, private fair housing groups are able to advocate for the individual interests of victims of housing discrimination. There is no cost for legal representation or for any other service provided by HOPE to persons complaining of housing discrimination.

HOPE, Inc. has implemented a wide range of crucial services for diverse constituencies and has been instrumental negotiating settlements for victims of housing discrimination. By drawing on the strengths of private and public fair housing organizations, such partnerships can result in effective efforts to combat housing discrimination.

## **B. PUBLIC AWARENESS OF FAIR HOUSING ISSUES**

Gustavo Velasquez, Assistant Secretary for Fair Housing and Equal Opportunity at HUD, stated in the *Annual Report on Fair Housing* (FY 2012/2013) that “Housing discrimination has a profound and lasting impact on its victims, as access to housing affects not only where individuals and families live, but the education, employment and other opportunities that are available to them,” yet most housing discrimination goes unreported. Discrimination in real estate transactions is possibly the most common unreported type of housing discrimination. Among the reasons for non-reporting housing discrimination are: 1) failure to identify the incident as discrimination, 2) uncertainty about where to turn for help when one has experienced discrimination, 3) a belief that nothing will be done if one reports the incident, or 4) fear of retaliation for reporting discrimination.

Ongoing education and outreach efforts are essential to promote awareness of rights conferred

under fair housing laws and to ensure compliance with fair housing laws. In an effort to gauge the current local level of housing discrimination, a Fair Housing Survey was conducted throughout the City of Miami Gardens. From January – March 2016, the City, in conjunction with the Consolidated Planning process and the Florida Housing Coalition, conducted a survey that posed a series of questions to local residents regarding housing discrimination, tenant/homeowner rights, and local fair housing resources. Steps were taken to ensure a random and widespread response from residents within Miami Gardens. Links to the online survey were posted on the City's website, on Facebook, and distributed via email to local residents and stakeholders. Four meetings were held to solicit feedback on the extent and perception of fair housing violations as well as knowledge on filing complaints. 229 surveys as well as additional public comment were collected through all of these efforts.

#### Extent of Perceived Discrimination and Trends in Awareness

In Miami Gardens, 7.2% of residents surveyed (16 of 229) claimed to have experienced some type of housing discrimination, and 7.2% were unsure if they had been discriminated against. Of the 16 respondents reporting discrimination, only one person had taken any action in response. These are important issues because the Fair Housing Act relies on homebuyers or renters knowing enough to recognize housing discrimination when it occurs and, if experienced, to initiate a response—such as filing a formal complaint for investigation, conciliation, or adjudication with local and national organizations, such as HOPE, Inc., HUD, or Miami-Dade County agencies.

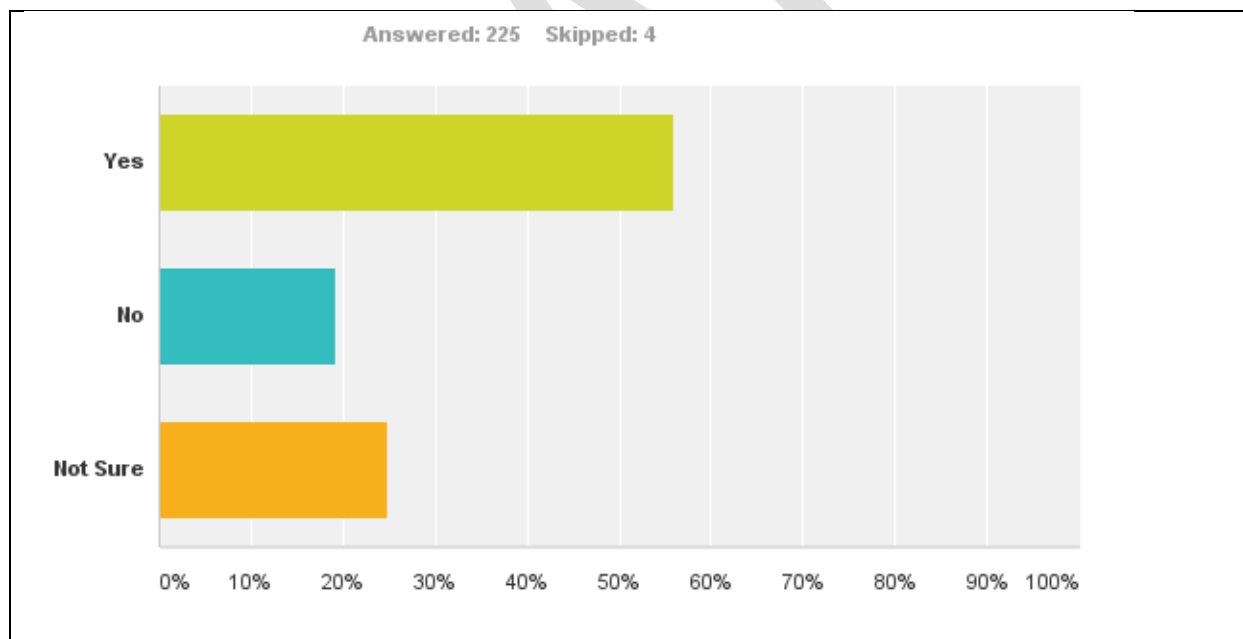
19.11% percent of Miami Garden residents surveyed admitted to unfamiliarity with fair housing laws and the individual rights of renters and homeowners and 24.89% were unsure. Also, 39.4% of those surveyed were unaware of the resources available for filing discrimination complaints and 13.16% were unsure. Education and outreach are the main sources for dispersing such information throughout local communities. Grassroots organizations traditionally play the role of local informer and trusted resource.

One cause for the low numbers of reported complaints is the underhanded nature of housing discrimination. Since the Fair Housing Act made housing discrimination illegal, resistance to integration has evolved from blatant to more covert practices. Therefore, identifying housing discrimination requires an understanding of specific terms and practices that otherwise appear legal.

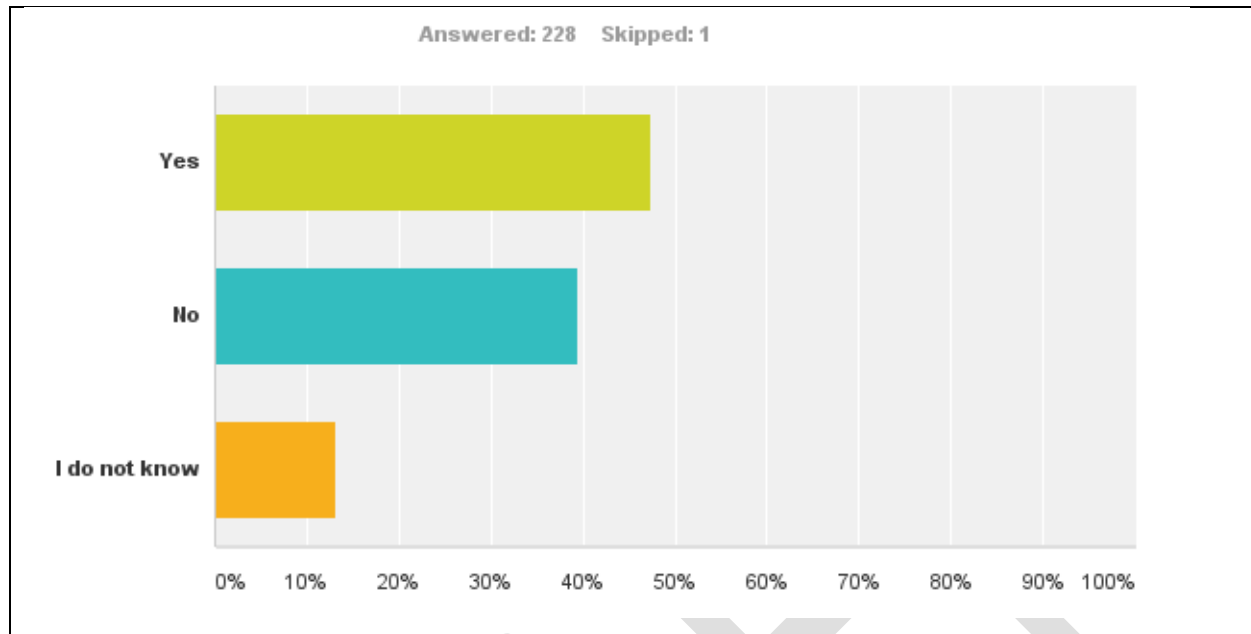
The following data was collected from the online survey conducted to gauge the community's input on the nature and extent of housing discrimination in Miami Gardens. In addition to the survey, four community and stakeholder meetings were held in March to discuss Fair Housing issues and the comments of those in attendance mirrored the survey results.

### Survey Results

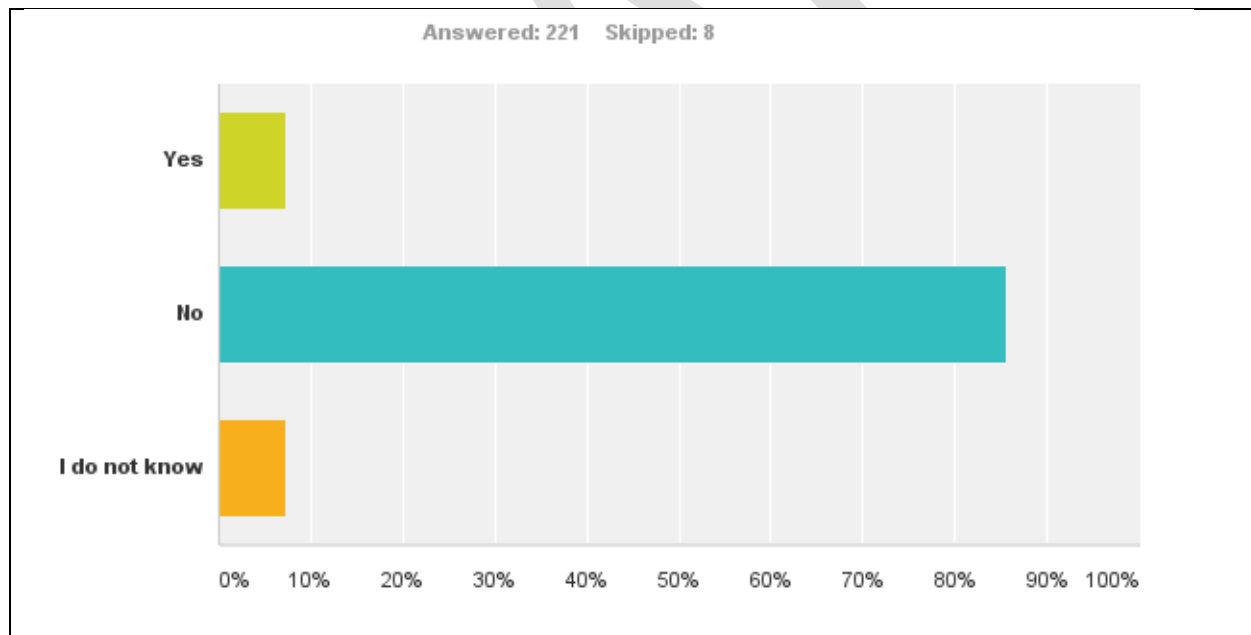
#### 1. Do you feel you understand your Fair Housing Rights?



2. Do you know where to file a housing discrimination complaint?

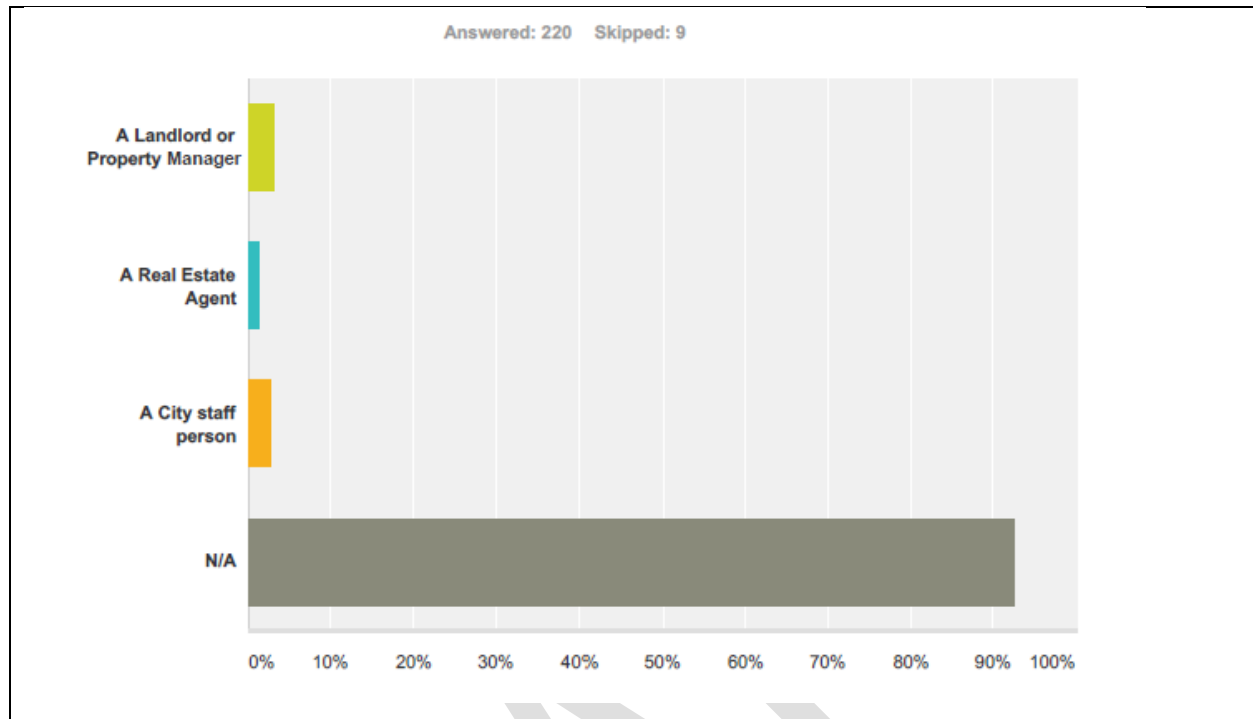


3. Since living in Miami Gardens, have you experienced discrimination?<sup>11</sup>

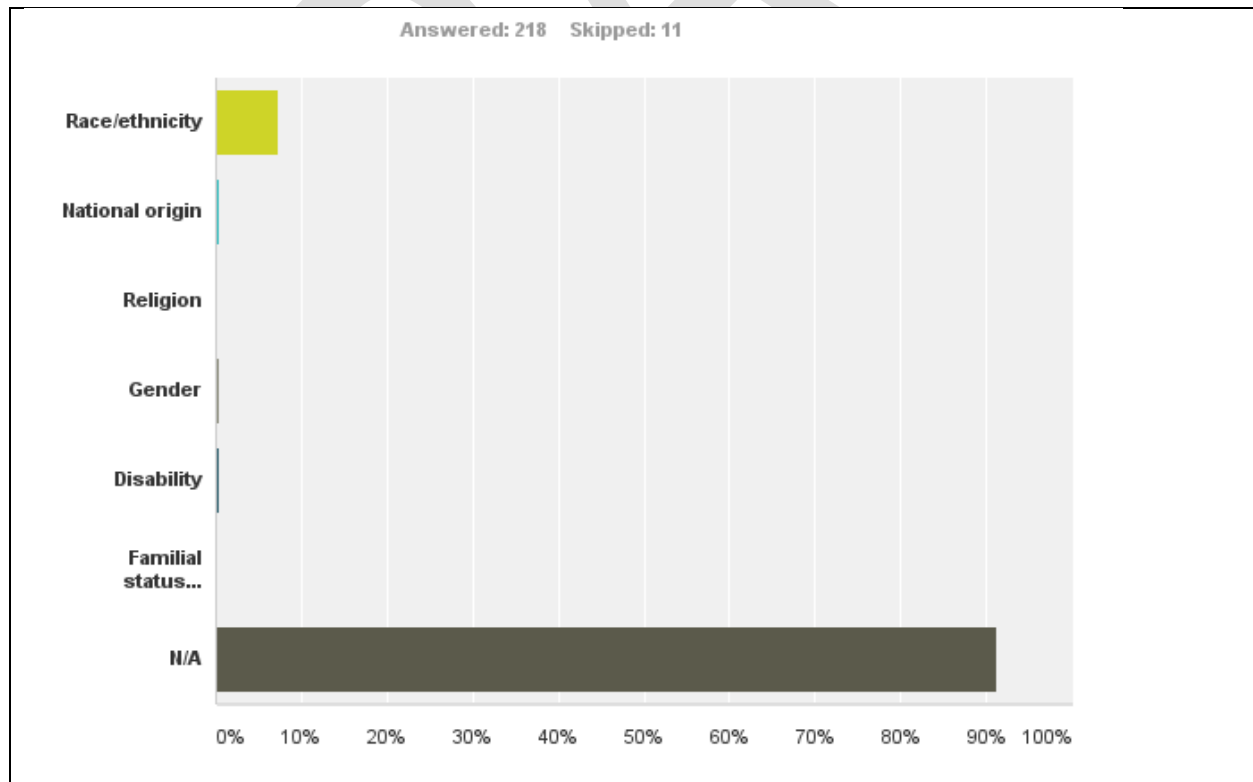


<sup>11</sup> This survey question included the following additional text: (NOTE: The following actions would represent housing discrimination if based on your race, color, national origin, religion, sex, familial status, or disability: 1) Refusal to rent, sell or negotiate the rental/sale of housing; 2) Falsely denying that housing is available for inspection, sale or rental; 3) Setting different rental terms, conditions, or privileges for sale or rental of a dwelling; or 4) Providing different housing services or facilities)

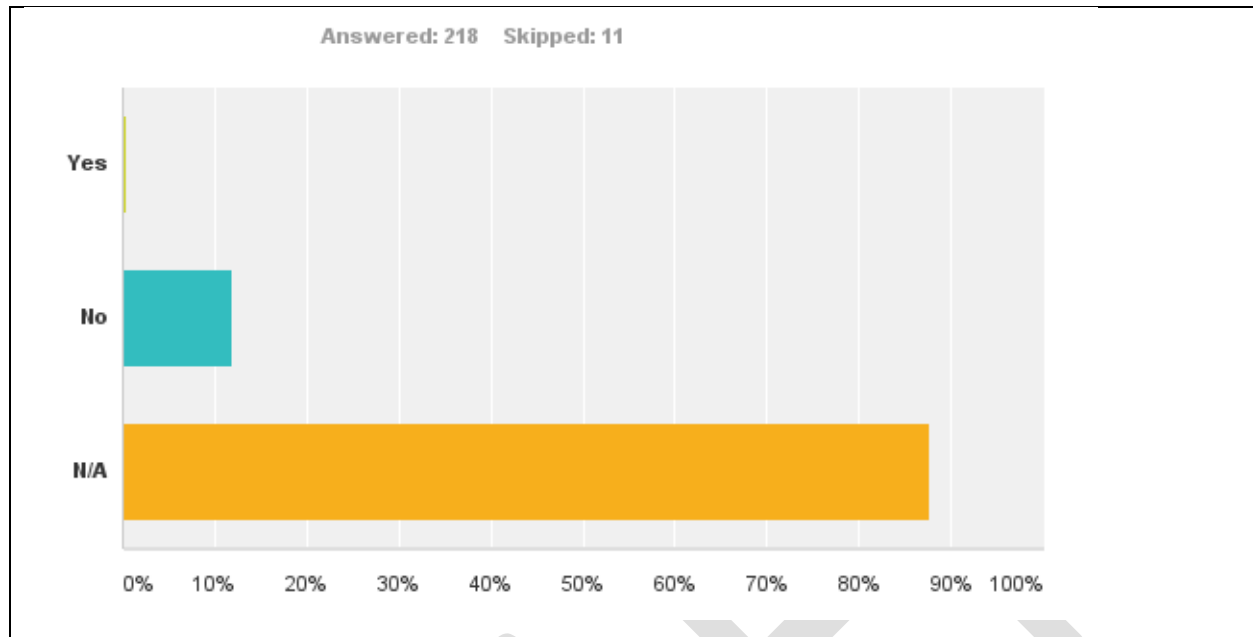
4. Who discriminated against you? (Check all that apply)



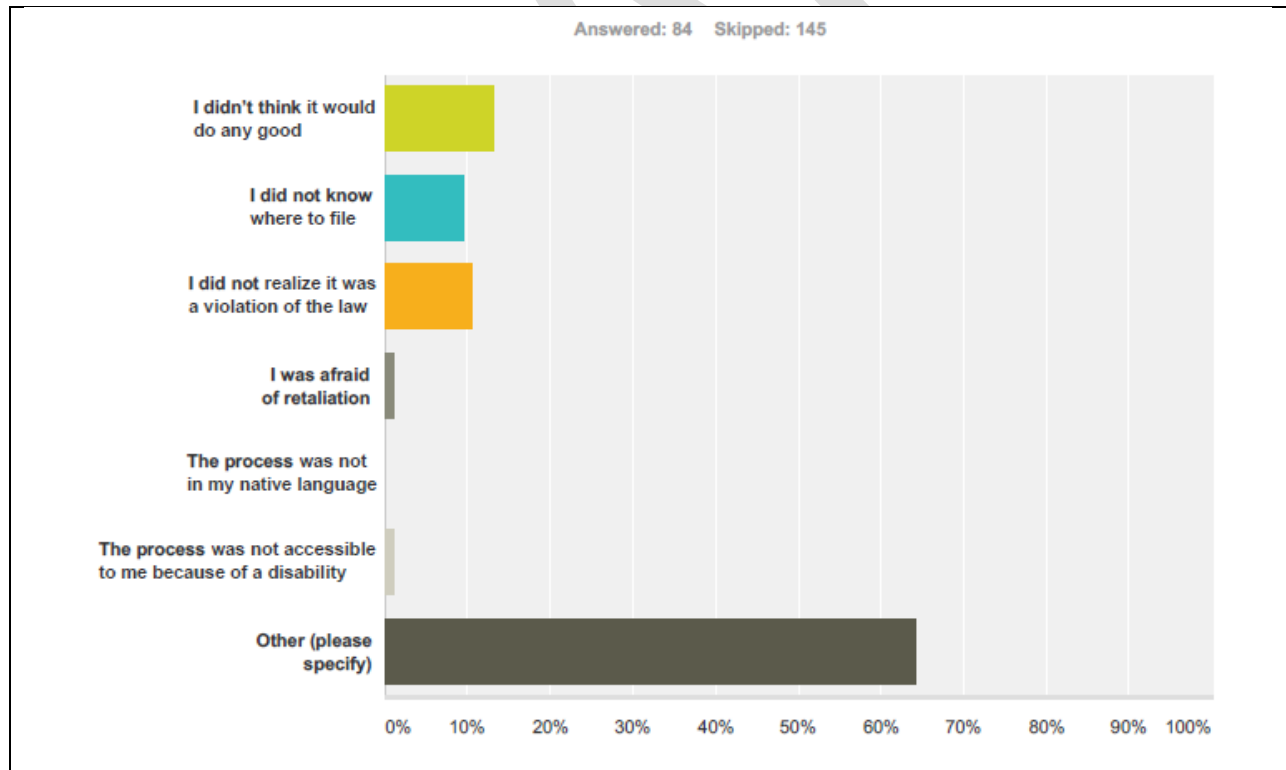
5. On what basis do you feel you were discriminated against? (Check all that apply)



6. Did you file a report of that discrimination?



7. If you did not file a report, why didn't you?





### C. FAIR HOUSING INFORMATIONAL PROGRAMS

HOPE, Inc., the primary provider of fair housing education and information in Miami-Dade County, endeavors to close the gap between fair housing protections and the public knowledge of and access to them. HOPE, Inc. is funded in part by the HUD Fair Housing Initiatives Program (FHIP) as well as Miami-Dade County and the Cities of Miami Beach and North Miami. Generally, private fair housing organizations like HOPE are better equipped to reach local communities and marginalized people through continual outreach and partnerships with both secular and religious grassroots organizations. Such organizations have the established reputations and private status that promote more trust from local communities.

HOPE, Inc.'s major objectives are to:

- Provide educational materials, seminars and working sessions regarding protected classes and prohibited practices under federal, state, and local fair housing laws;
- Provide comprehensive fair housing services while seeking to identify illegal housing practices in the areas of rentals, sales, mortgage/lending, insurance, and advertising;
- Assist Entitlement Jurisdictions in implementing Fair Housing Action Plans that are designed to eliminate identified impediments to Fair Housing Choice and to meet Consolidated Plan requirements to Affirmatively Further Fair Housing; and
- Conduct educational programs designed to furnish developers, real estate brokers, property managers, financial institutions, and the media/advertising industry with the most current information necessary to fully comply with fair housing laws, Community Reinvestment Act regulations, and affirmative marketing requirements.

All programs are tailored to meet individual organizational needs. Public Housing Authority and Not-for-Profit Community Development Corporation Workshops provide technical assistance to ensure equal housing opportunities for all protected classes and the elimination of institutional barriers to decent, affordable housing. The overarching objective of these activities is to assist

communities in developing a coordinated strategy of actions to affirmatively further fair housing. Legal Community Seminars offer practitioners training in fair housing litigation skills. Community and Civil Group Education Sessions are implemented to ensure that the general public and protected classes become knowledgeable about fair housing laws and the means available to seek redress for fair housing rights violations. Media campaigns inform the public of the fair housing services made available by HOPE, Inc., utilizing a combination of public service announcements, print ads, signs/billboards, and other media. The telephone Help Line provides information regarding fair housing issues, referral services for victims of discrimination to file complaints and seek redress, and affordable housing and other housing related referrals. HOPE publishes and disseminates a fair housing newsletter quarterly highlighting national, statewide, and local fair housing news, and conducts national Fair Housing Month activities in April annually.

#### D. FAIR HOUSING COMPLAINTS

The National Fair Housing Alliance's 2015 *Fair Housing Trends Report* announced that 27,528 fair housing complaints were filed nationwide in 2014, a slight increase over the 2013 level<sup>12</sup>. According to the report, Americans report only a small fraction of discriminatory complaints. Discrimination the basis of disability represents over 50% of all complaints and racial discrimination represents 22% of complaints. Further, the report estimates that private nonprofit fair housing organizations process more than double the number of complaints received by HUD and Fair Housing Assistance Program agencies.

From 2009 through 2015, the HUD Miami Field Office reported a total of 85 Fair Housing complaints in the City of Miami Gardens. The nature of the complaints was not provided and further information required filing a Freedom of Information Act request. The status of these cases is shown in Figure 12 below.

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<sup>12</sup> <http://www.nationalfairhousing.org/Portals/33/2015-04-30%20NFHA%20Trends%20Report%202015.pdf>

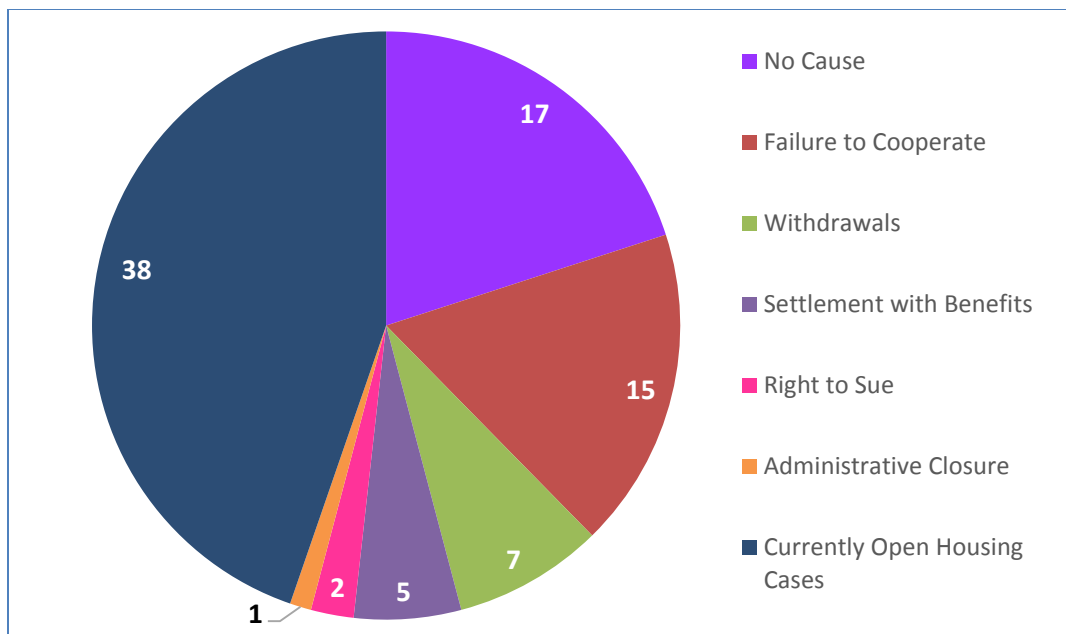


Figure 12: Miami Gardens Fair Housing Complaints Filed 2009-2015

## E. FAIR HOUSING DISCRIMINATION SUITS FILED

### Milsap, et al. v. Cornerstone Residential Management<sup>13</sup>

The developer and property management company of affordable housing units located in Miami-Dade and Broward Counties is subject to a class action lawsuit alleging discrimination on the basis of familial status and race. Two properties subject to this lawsuit are located in the City of Miami Gardens:

**Crossings @ University, 18740 N.W. 27 Ave, 33055;**

**Eagle's Landing, 18800 N.W 27 Ave, 33055;**

The plaintiffs allege that the occupancy restrictions established and enforced by Cornerstone have a discriminatory impact on families with children and Blacks. HUD has established a general rule of two persons per bedroom as a reasonable occupancy standard for purposes of the Fair

<sup>13</sup> Filed in 2005 by The Law Office of Matthew Dietz in the United States District Court, Southern District of Florida, Civil Division, Case No. 05-60038 CIV

Housing Act.<sup>14</sup> The plaintiffs allege that the occupancy standards enforced at properties owned and operated by Cornerstone are more restrictive than those established by HUD, thus having a discriminatory impact on families with children. Further alleged is that properties located in areas with larger minority populations have even more restrictive occupancy limitations than areas with smaller minority populations, resulting in racial disparities.

HOPE, Inc. was one of five plaintiffs in this class action lawsuit filed in 2005 against Cornerstone<sup>15</sup>, a prominent affordable housing developer and property manager, alleging violations of the Fair Housing Act for denial of rental opportunities, discrimination in the terms, conditions and privileges of a housing opportunity, and disparate impact based on familial status. Cornerstone had established occupancy restrictions for all of its properties, most of which limited occupancy to less than two persons per bedroom. Plaintiffs alleged one of Cornerstone's properties enforced a written one child per bedroom policy made available at the front desk and given to potential renters prior to being provided an application. As a result of occupancy restrictions, families who exceeded them were denied housing or paid more for their housing because they were forced to live in a larger unit.

Five years later, the case was settled out of court. While Cornerstone Residential Management, Inc. et.al., denied violating the federal and Florida Fair Housing Acts or engaging in any wrongful conduct, the terms of the settlement include undisclosed relief for the individual plaintiffs and implementation of policies that will increase the availability of affordable housing opportunities to families with children at over 7,500 affordable housing units managed by Cornerstone in and out of Miami-Dade and Broward counties, since all units are owned and operated by the same company and are subject to the agreement. Occupancy standards will be maintained that are not less than two persons per bedroom (excluding infants under two years of age).

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<sup>14</sup> Department of Housing and Urban Development, Fair Housing Enforcement- Occupancy Standards, Notice of Statement of Policy, Docket No. FR-4405-N-01; Federal Register/Vol. 63, No. 245/Tuesday, December 22, 1998/Notices

<sup>15</sup> HOPE, Inc. Press Release, "Settlement Reached in Landmark Mislav VS. Cornerstone Case 6/4/2010. <http://www.hopefhc.com/news/10-20-15> and City of Miami Analysis of Impediments to Fair Housing Choice Page 39 Updated 4-1-2012

The Consent Order further calls for:

- Cornerstone submission of an Affirmative Fair Housing Marketing Plan to HOPE annually and ongoing training for its employees;
- HOPE monitoring of vacancies and leasing reports for affected properties; at its own expense, HOPE may develop and implement a testing program to audit and monitor the Defendants' compliance with the Fair Housing Act and the Consent Order with respect to familial status;
- Cornerstone posting and prominently displaying a full size HUD fair housing poster in a conspicuous location in or near the rental office;
- Cornerstone including the "Equal Housing Opportunity" or the fair housing logo in all rental advertising, including billboards, telephone and internet.

Housing Opportunities Project for Excellence, Inc., Pamela Carter, Carlos Quinones, Vanessa Cano, Berthenia Mannings, individually and as parent of KM, Graciela Cisneros, and Julian Mitchell vs. Miami Property Group, LTD., Charter Realty Group, Inc. and Paulette Gopaul<sup>16</sup>

Plaintiffs alleged that Defendants have systematically limited and denied the equal housing opportunity rights of their residents by promulgating rules and regulations and establishing practices which discriminate against persons based upon their sex, disability and familial status; and denied residents reasonable modifications or accommodations for their disabilities which would allow them equal use and enjoyment of the premises, including the common use areas. These alleged violations took place at the following properties located in the City of Miami Gardens::

**183<sup>rd</sup> St Apartments located at 18451 NW 37<sup>th</sup> Ave., Miami Gardens, FL 33056;**

**187<sup>th</sup> St Apartments located at 18665 NW 37<sup>th</sup> Ave., Miami Gardens, FL 333056;**

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<sup>16</sup> Case No. 1:14-cv-22142-LMM. Filed in US District Court Southern District of Florida, Miami Division

On April 16, 2015, the parties entered into a Settlement Agreement and Mutual Release with the following terms:

- The Agreement resolves all issues between Plaintiff and Defendant and does not constitute admission by any Parties of any violation of Federal, State or Local law, ordinance or of any liability or wrongdoing.
- The Court will retain jurisdiction to enforce the terms of the Settlement Agreement.
- A Joint Stipulation of Dismissal with Prejudice and a proposed Order of Dismissal shall be filed within 5 business days of the Effective date and within 10 business days, Plaintiffs shall provide to HUD, a written Notice of Withdrawal of their Housing Discrimination Complaint releasing any damages claims in connection therewith.
- Defendant shall wire \$625,000 to the Disability Independence Group, Inc.'s. Trust Account within 11 business days.
- Miami Property Group agrees to make reasonable accommodations to Pamela Carter, Graciela Cisneros and Vanessa Cano.
- Charter Realty Group will, within 60 calendar days of the Effective Date, enter into a consulting agreement with a 3<sup>rd</sup> party to review all requests made by Charter Realty for reasonable accommodations at the subject properties.
- Subject to lender approval, Miami Property Group will revise its management agreement with Charter Realty Group to contain provisions to require compliance with the Federal Fair Housing Act, Florida Fair Housing Act, Miami-Dade Human Rights Ordinance, Section 504 of the Rehabilitation Act, Violence Against Women Act, Limited English Proficiency Requirements, Affirmative Fair Housing Marketing Requirements and LGBT protections in all applicable statutes and regulations. In addition, Charter Realty Group must provide certifications of completion of staff training.
- Charter Realty Group will acknowledge and accept a resident's determination of disability provided by Social Security Administration.



- For 2 years from Effective Date, Charter Realty Group will provide HOPE with reports regarding in person trainings provided to its employees with responsibility for providing services at the Subject Properties. Trainings must be conducted by a 3<sup>rd</sup> party with relevant training experience and must consist of 6 hours/year.
- Revised policies regarding reasonable accommodation have been deemed acceptable by HOPE and any revisions made within 2 years of Effective Date must be reviewed by HOPE. HOPE agrees to provide Charter Realty with written notice of any changes that it alleges may violate any applicable law or ordinance.
- For 2 years from the Effective Date, Charter Realty Group will provide quarterly logs to HOPE reflecting requests for reasonable accommodations and the modifications and accommodations provided.
- At recertification, Charter Realty Group will continue to provide to residents of the Subject Properties notification regarding VAWA, Reasonable Accommodation and Limited English Proficiency.
- Charter Realty Group will continue to screen potential live-in aides with the same criteria used to screen housing applicants, but will not include financial criteria. Charter Realty group will not deny someone from serving as a live-in aide solely because the individual is a current tenant of another unit, a family member of tenant requiring the aide or a former tenant.
- At recertification, Charter Realty Group will ask specific questions outlined in the Settlement Agreement regarding disability and modifications. They will also read specific questions from HUD Form 50059 to verify responses.
- Miami Property Group will install playground equipment at 185/187 Apartments within 120 days of Effective Date.
- Charter Realty Group will designate an area for children to ride bikes at 185/187 Apartments.

- Charter Realty Group will extend pool hours and make the pool available on weekends.
- Charter Realty Group will continue to allow evicted residents who have committed no crime to be on the property to visit family members who are tenants, unless any other federal, state or local law or directive from HUD prohibits this practice.
- Miami Property Group will continue to provide afterschool program.
- Charter Realty Group will continue to leave pedestrian gate open during certain hours unless emergency circumstances require differently.
- Charter Realty Group will continue to maintain written policies in English and Spanish and will provide alternate formats as needed.
- Charter Realty Groups House rules and policies will remain compliant with the requirements of VAWA.
- Charter Realty Group agrees to allow scheduled tenant meetings in the Community Room upon reasonable notice.

**Sanchez, Luis v. Miami Property Group, LTD, et al.**

- Miami HUD Field office reference number 04-14—156-6
- LOF of Compliance Title VI

No further information was available on this case as the filing parties stated they are not at liberty to discuss.

## **F. LENDING POLICIES AND PRACTICES**

Historically, racial and ethnic minority groups have encountered barriers to full access to home mortgage lending. Typically, these barriers are identified by higher rejection and failure rates for loan applications. In other instances, racial and ethnic minority groups have been steered to government-insured FHA (Federal Housing Administration) loans when they could have qualified

and benefited from conventional loans in the private market. The Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac), the two federally-chartered secondary market enterprises that stimulate the mortgage markets by purchasing loans, are charged by the government with reaching specific goals for serving both affordable and minority housing markets with conventional loans. This indicates the clear policy goal of reaching as many borrowers as possible through private conventional markets.

As the market of sub-prime lending has grown, studies by the U.S. Department of Housing and Urban Development and other researchers, as well as many lawsuits, have raised the concern that minority ethnic and racial groups have been unfairly steered to these higher interest rate products when they could have been served by either conventional prime loans or FHA lending. Thus, the key concerns presently raised about barriers to fair lending include both the impediments to access to conventional prime loans and the infusion of FHA and sub-prime lending into minority markets. Accordingly, this analysis of barriers to full access to mortgage lending focuses on the issues of access to conventional prime loans and steering to FHA and sub-prime loans in both the home purchase and refinance markets.

The Florida Housing Coalition team conducted a portfolio and market share analysis using 2014 Home Mortgage Disclosure Act (HMDA) data with the following specifications for Miami Gardens, FL: all single family lending, conventional and government- insured, loans to owner-occupants, and first-lien loans. All single-family loans include loans for home purchase, home improvement, and refinances. For the portfolio share analysis, we evaluated the prime (or market-rate) and subprime (or high-cost) lending performances by gender of borrower; by race and ethnicity of borrower (i.e. white non-Hispanic, Black, Asian, or Hispanic); by income level of borrower (low- and moderate- income, or LMI, and middle- and upper-income, or MUI); and by income level of census tract (LMI or MUI neighborhood). High-cost loans are those with the price information reported under the Home Mortgage Disclosure Act (HMDA). For more information about HMDA, please visit <http://www.consumerfinance.gov/hmda/learn-more>. Lending patterns were then compared to the demographics of Miami Gardens, where applicable,

to illustrate potential lending disparities.

The market share analysis compares the portion of high-cost loans made to a particular borrower group to all loans (market-rate loans plus high-cost loans) made to that same borrower group. The disparity ratio illustrates the extent to which originations occurred to one borrower group compared to another. Market-rate loans are loans made at prevailing interest rates to borrowers with good credit histories. High-cost loans, in contrast, are loans with rates higher than prevailing rates made to borrowers with credit blemishes. The higher rates compensate lenders for the added risks of lending to borrowers with credit blemishes. While responsible high-cost lending serves legitimate credit needs, public policy concerns arise when certain groups in the population receive a disproportionate amount of high-cost loans. When high-cost lending crowds out market-rate lending in traditionally underserved communities, price discrimination and other predatory practices become more likely, as residents face fewer product choices.

### Portfolio Share Analysis of Single Family Lending

While comprising about 24 percent of the households in Miami Gardens, according to 2010-2014 American Community Survey, Hispanic borrowers received approximately 37 percent of prime and 58 percent of all high-cost loans in the City in 2014. As a comparison, white non-Hispanic borrowers, whose share of households in Miami Gardens was fewer than 3 percent, received 10 percent of all prime and approximately 2 percent of all high-cost loans. Thus, white non-Hispanic borrowers received a disproportionately higher portion of prime loans and smaller portion of high-cost loans, as compared to their share of Miami Garden's households. Hispanics received a significantly larger portion of high-cost loans than their share of households in the area, though their share of prime loans was also higher than their share of total households within the City (see Table 14 and Figure 13 below).

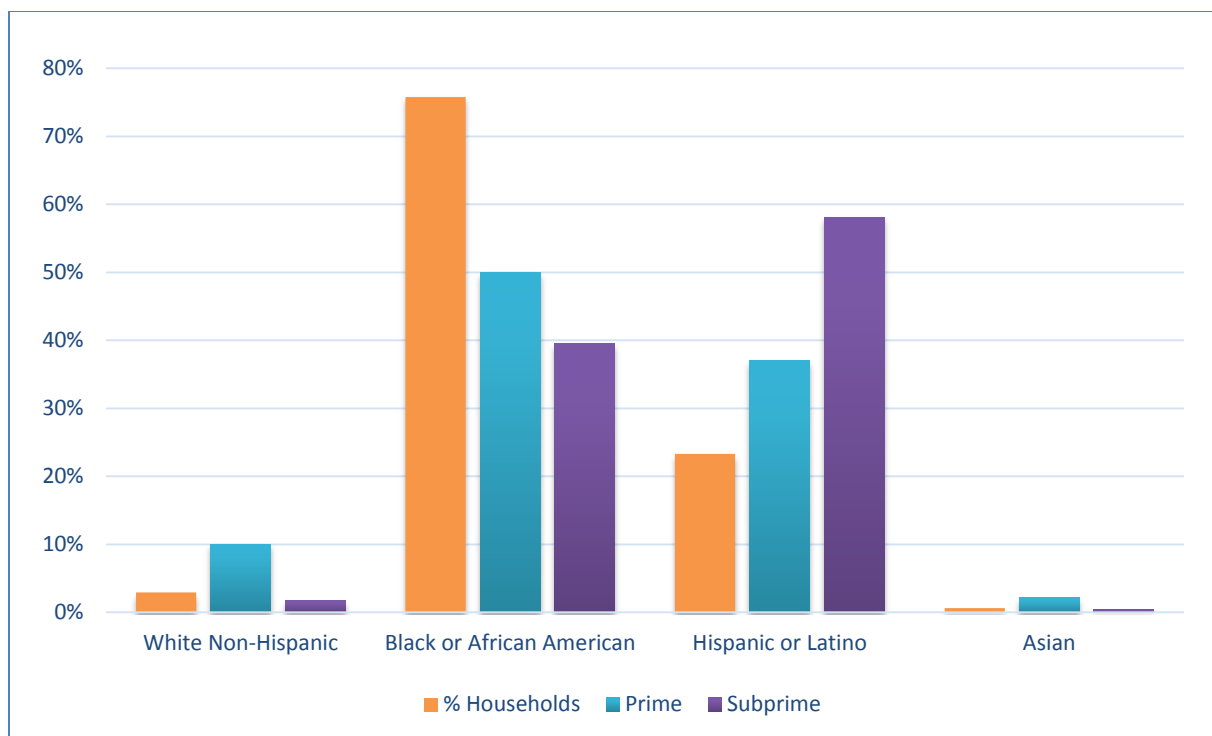
African-American borrowers comprised the largest share of households (76 percent) in Miami Gardens, according to the 2010-2014 American Community Survey. Further, this borrower

group received a smaller portion of both prime and high-cost loans, as compared to their percentage of the City's households (i.e. 50 percent of prime and 40 percent of high-cost loans). Asian borrowers, on the other hand, comprised the smallest share of Miami Gardens' households (less than 1 percent) while receiving a higher portion of prime loans (2.1 percent) and a smaller portion of high-cost loans (0.3 percent) than their share of households in the City.

**Table 14: Miami Gardens Portfolio Share Analysis by Race/Ethnicity of Borrower (Single-Family)**

Race/ Ethnicity of Borrower	Loan Originations			% of Loans to All Races			All Households		Ratio of Prime Portfolio Share to % of HHs	Ratio of Sub- prime Portfolio Share to % of HHs
	Prime	Sub- prime	All	Prime	Sub- prime	All	Count	%		
White Non-Hispanic	57	5	62	10.0%	1.7%	7.1%	902	2.9%	3.46	0.57
Black/African American	284	119	403	50.0%	39.5%	46.4%	23,564	75.8%	0.66	0.52
Hispanic or Latino	210	175	385	37.0%	58.1%	44.3%	7,243	23.3%	1.59	2.50
Asian	12	1	13	2.1%	0.3%	2.5%	187	0.6%	3.52	0.55
<b>Total<sup>17</sup></b>	<b>568</b>	<b>301</b>	<b>869</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>31,087</b>	<b>100%</b>	<b>-</b>	<b>-</b>

<sup>17</sup> Total includes all originations for which race and ethnicity data were provided. This includes a small number of other races not included identified as a row in the table.



**Figure 13: Percent of Single-Family Loans Compared to Percent of Households by Race/Ethnicity in Miami Gardens**

Low- and moderate-income (LMI) borrowers, or borrowers whose income is less than 80 percent of the Metropolitan Statistical Area (MSA) median income, received a significantly lower portion of both prime and high-cost loans with respect to their portion of the City's households. Though over 54 percent of all households in Miami Gardens are low- and moderate-income, LMI borrowers received only 26 percent of prime and 30 percent of high-cost loans in 2014. On the other hand, middle- and upper-income (MUI) borrowers, or borrowers whose income is greater than 80 percent of the MSA median income, received a significantly greater portion of both prime and high-cost loans with respect to their portion of Miami Gardens' households. MUI households accounted for about 46 percent of the City's households, though they received over 74 percent of all market-rate single-family loans and 70 percent of all high-cost loans in 2014 (Figure 14 and Table 15).

The disproportional distribution of market-rate and high-cost loans between LMI and MUI Census tracts was similar to the trends observed for LMI and MUI borrowers. Though LMI



Census tracts represent 21 percent of all tracts in Miami Gardens, fewer than 10 percent of prime loans and 15 percent of high-cost loans occurred in LMI tracts. MUI Census tracts, on the other hand, which represent approximately 79 percent of the Census tracts in Miami Gardens, received 90 percent of the market-rate and 85 percent of the high-cost loans originated in Miami Gardens in 2014 (Table 16).

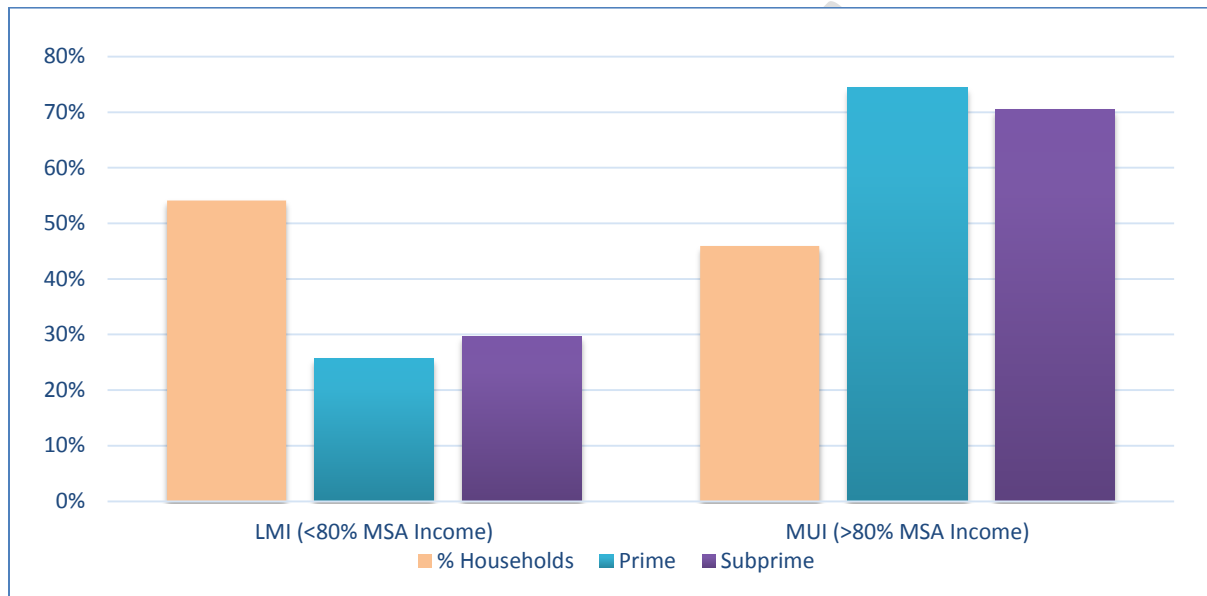


Figure 14: Percent of Single-Family Loans Compared to Percent of Households by Income Level in Miami Gardens

Table 15: Miami Gardens Portfolio Share Analysis by Income Bracket of Borrowers (Single-Family)

Income Bracket of Borrower	Loan Originations			Percent of Loans to All Income Levels			Households		Ratio of Prime Portfolio Share to % of HHs	Ratio of Sub-prime Portfolio Share to % of HHs
	Prime	Sub-prime	All	Prime	Sub-prime	All	Count	Percent		
Low (<50% MSA Income)	32	7	39	5.4%	2.3%	4.4%	-	-	-	-
Moderate (50-79.99% MSA Income)	120	82	202	20.2%	27.2%	22.6%	-	-	-	-
Middle (80 to 119.99% MSA Income)	186	136	322	31.3%	45.2%	36.0%	-	-	-	-
Upper (>120% MSA Income)	256	76	332	43.1%	25.2%	37.1%	-	-	-	-
LMI (<80% MSA Income)	152	89	241	25.6%	29.6%	26.9%	16,605	54.1%	0.47	0.55
MUI (>80% MSA Income)	442	212	654	74.4%	70.4%	73.1%	14,085	45.9%	1.62	1.53
<b>Total</b>	<b>594</b>	<b>301</b>	<b>895</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>30,690</b>	<b>100%</b>	<b>-</b>	<b>-</b>

Table 16: Miami Gardens Portfolio Share Analysis by Income Bracket of Census Tracts (Single-Family)

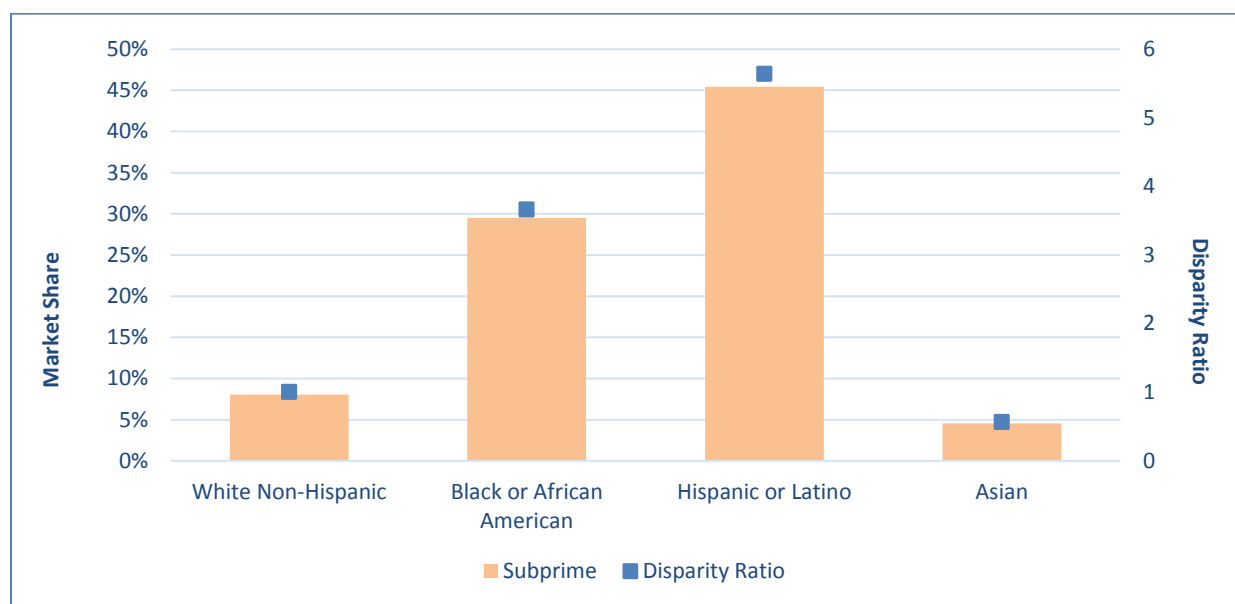
Income Bracket of Census Tract	Loan Originations			Percent of Loans to All Income Levels			Census Tracts		Ratio of Prime Portfolio Share to % of HHs	Ratio of Subprime Portfolio Share to % of HHs
	Prime	Sub-prime	All	Prime	Sub-prime	All	Count	Percent		
Low (<50% MSA Income)	0	0	0	0.0%	0.0%	0.0%	-	-	-	-
Moderate (50 to 79.99% MSA Income)	60	46	106	9.6%	15.0%	11.3%	5	20.8%	0.46	0.72
Middle (80 to 119.99% MSA Income)	457	214	671	72.8%	69.7%	71.8%	16	66.7%	1.09	1.05
Upper (>120% MSA Income)	111	47	158	17.7%	15.3%	16.9%	3	12.5%	1.41	1.22
LMI (<80% MSA Income)	60	46	106	9.6%	15.0%	11.3%	5	20.8%	0.46	0.72
MUI (>80% MSA Income)	568	261	829	90.4%	85.0%	88.7%	19	79.2%	1.14	1.07
<b>Total</b>	<b>628</b>	<b>307</b>	<b>935</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>24</b>	<b>100%</b>	<b>-</b>	<b>-</b>

## Market Share Analysis of Single Family Lending

The share of high-cost loans out of all loans originated to Hispanics and African-Americans was significantly greater than for white non-Hispanic borrowers. African American borrowers were 3.66 times more likely than white non-Hispanic borrowers to receive a high-cost loan (this ratio is calculated by dividing the percent of all loans to African Americans that were high-cost, 29.5 percent, by the percent of all loans to white non-Hispanic borrowers that were high-cost, 8.1 percent). Hispanic borrowers, meanwhile, were 5.64 times more likely to receive a high-cost loan than their white non-Hispanic counterparts (Table 17 and Figure 15).

**Table 17: Miami Gardens Market Share Analysis by Race/Ethnicity of Borrower (Single-Family)**

Race/Ethnicity of Borrower	Loan Originations			% to that Race		Ratio to White	
	Prime	Sub-prime	All	Prime	Sub-prime	Prime	Sub-prime
White Non-Hispanic	57	5	62	91.9%	8.1%	1.00	1.00
Black or African American	284	119	403	70.5%	29.5%	0.77	3.66
Hispanic or Latino	210	175	385	54.5%	45.5%	0.59	5.64
Asian	12	1	22	54.5%	4.5%	0.59	0.56
<b>Total</b>	<b>568</b>	<b>301</b>	<b>869</b>	<b>65.4%</b>	<b>34.6%</b>	<b>1.66</b>	<b>10.04</b>



**Figure 15: Subprime Market Share of Single-Family Loans by Race/Ethnicity in Miami Gardens**

Table 18: Miami Gardens Market Share Analysis by Income Bracket of Borrowers (Single-Family)

Income Bracket of Borrower Household	Loan Originations			Percent to that Income Level		Ratio to Upper Income	
	Prime	Subprime	All	Prime	Subprime	Prime	Subprime
Low (<50% MSA Income)	32	7	39	82.1%	17.9%	1.06	0.78
Moderate (50-79.99% MSA Income)	120	82	202	59.4%	40.6%	0.77	1.77
Middle (80 to 119.99% MSA Income)	186	136	322	57.8%	42.2%	0.75	1.85
Upper (>120% MSA Income)	256	76	332	77.1%	22.9%	1.00	1.00
LMI (<80% MSA Income)	152	89	241	63.1%	36.9%	0.93	1.14
MUI (>80% MSA Income)	442	212	654	67.6%	32.4%	1.00	1.00
<b>Total</b>	<b>628</b>	<b>307</b>	<b>935</b>	<b>67.2%</b>	<b>32.8%</b>	<b>-</b>	<b>-</b>

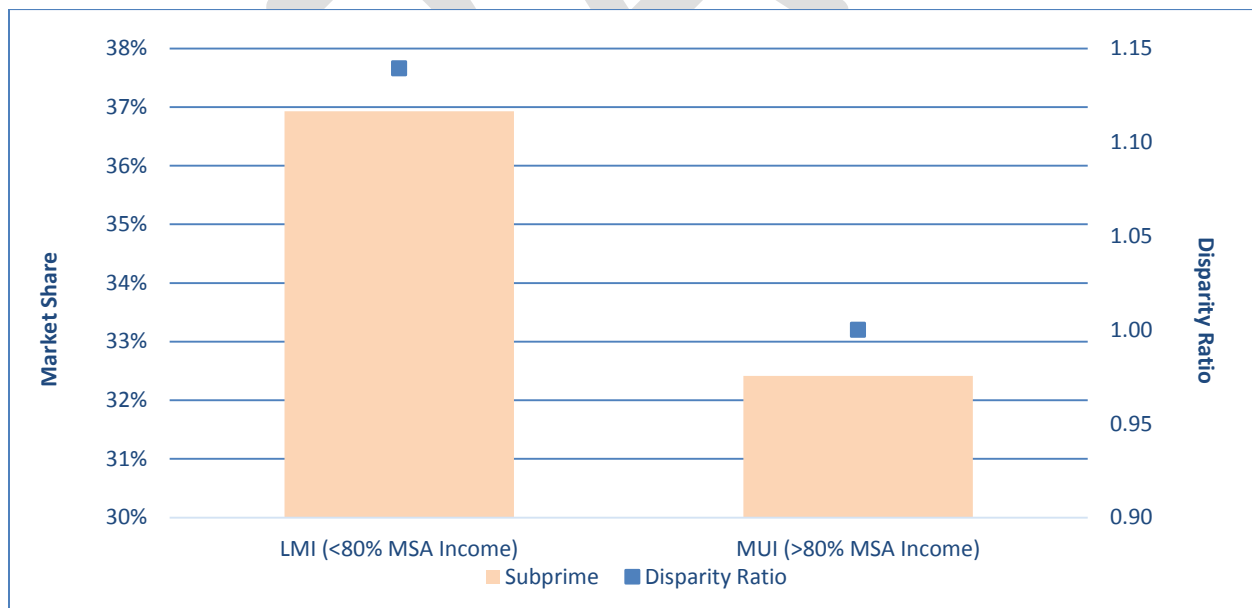


Figure 16: Subprime Market Share of Single-Family Loans by Household Income Bracket in Miami Gardens

While the prime/subprime gap was less significant in degree compared to lending by race, LMI borrowers in Miami Gardens were 1.14 times more likely to receive a high-cost loan than MUI borrowers (this is 36.9 percent divided by 32.4 percent) as of 2014 (see Table 18 and Figure 16 above).

Additionally, borrowers in LMI Census tracts were 1.38 times more likely to receive high-cost loans than borrowers in MUI Census tracts (calculated by dividing 43.4 percent by 31.5 percent; see Table 19).

**Table 19: Miami Gardens Market Share Analysis by Income Bracket of All Census Tracts (Single-Family)**

Income Bracket of Census Tract	Loan Originations			Percent to that Income Level		Ratio to Upper Income	
	Prime	Sub-prime	All	Prime	Sub-prime	Prime	Sub-prime
Low (<50% MSA Income)	0	0	0	0.0%	0.0%	-	-
Moderate (50 to 79.99% MSA Income)	60	46	106	56.6%	43.4%	0.81	1.46
Middle (80 to 119.99% MSA Income)	457	214	671	68.1%	31.9%	0.97	1.07
Upper (>120% MSA Income)	111	47	158	70.3%	29.7%	1.00	1.00
LMI (<80% MSA Income)	60	46	106	56.6%	43.4%	0.83	1.38
MUI (>80% MSA Income)	568	261	829	68.5%	31.5%	1.00	1.00
<b>Total</b>	<b>628</b>	<b>307</b>	<b>935</b>	<b>67.2%</b>	<b>32.8%</b>	<b>-</b>	<b>-</b>

**Table 20: Loan Originations to Miami Gardens Neighborhoods by Minority Share**

Minority Percentage of Census Tract Population	Loan Originations			As a Percent of Loans to that Minority Level (Market Share)		Ratio of that Minority Level to 0-49% Minority (Market Share Ratio)	
	Prime	Sub-prime	All	Prime	Subprime	Prime	Subprime
0-49% Minority	0	0	0	0.0%	0.0%	-	-
50-100% Minority	3,066	4,055	7,071	43.36%	56.64%	N/A	N/A
<b>Total</b>	<b>3,066</b>	<b>4,055</b>	<b>7,071</b>	<b>43.36%</b>	<b>56.64%</b>	<b>N/A</b>	<b>N/A</b>

Finally, Table 20 shows the prime and subprime loan originations in “predominantly minority”



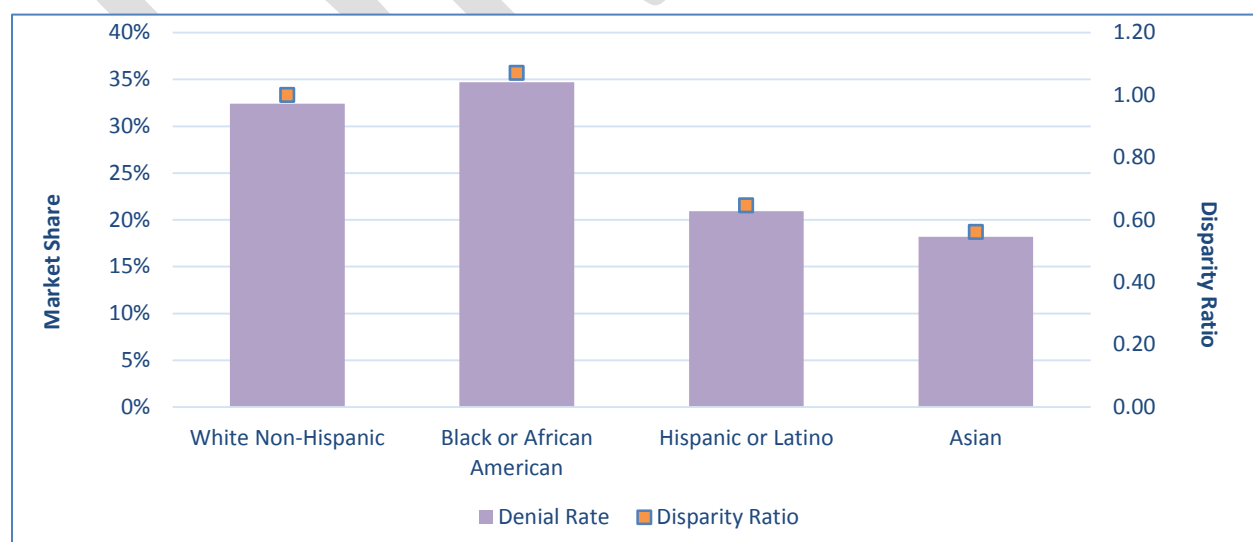
Census Tracts (50-100% minority population) in 2006, as reported in the 2008 *Analysis of Impediments*. All Census tracts in Miami Gardens are predominantly minority, so Table 20 does not show whether subprime lending is more common in Census tracts with higher minority concentrations. High-cost loans accounted for the majority (56.6 percent) of all loans originated to borrowers in Miami Gardens in 2006.

### Denial Disparity Analysis of Single Family Lending

As indicated in Table 21 and Figure 17, African-American borrowers in Miami Gardens were denied single family loans 34.7 percent of the time, similar to white non-Hispanic borrowers who were rejected 32.4 percent of the time. In contrast, Hispanic borrowers were denied a much lower 20.9 percent of time.

**Table 21: Denial Rates and Disparity Ratios for Single-Family Loans by Race/Ethnicity in Miami Gardens**

Race/Ethnicity of Borrower	Denial Rate			Ratio of that Race to White (Denial Ratio)
	Applications	Denials	% Denied	
White Non-Hispanic	145	47	32.4%	1.00
Black or African American	1,026	356	34.7%	1.07
Hispanic or Latino	636	133	20.9%	0.65
Asian	22	4	18.2%	0.56
<b>Total</b>	<b>1,829</b>	<b>540</b>	<b>29.5%</b>	<b>0.91</b>

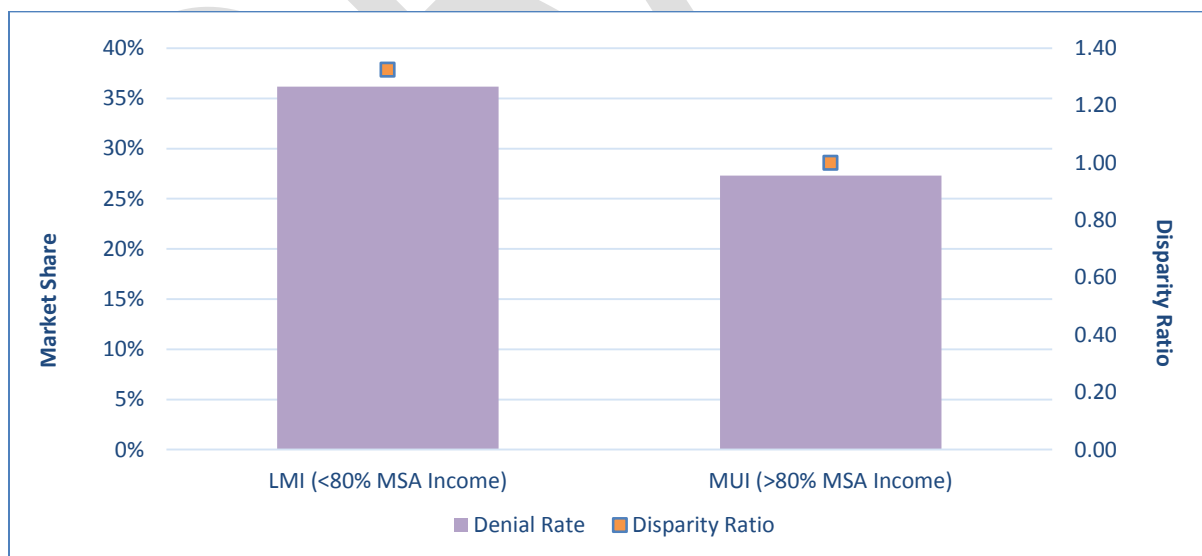


**Figure 17: Single-Family Loan Denial and Disparity Rates by Race/Ethnicity in Miami Gardens**

LMI applicants were more likely to be denied a single family loan compared to MUI borrowers. LMI borrowers were denied loans 1.32 times as often as more affluent borrowers (See below - Table 22 and Figure 18).

**Table 22: Denial Rates and Disparity Ratios for Single-Family Loans by Income Bracket of Borrowers in Miami Gardens**

Income Bracket of Borrower Household	Denial Rate			Ratio of that Income Group to Upper (Denial Ratio)
	Applications	Denials	% Denied	
Low (<50% MSA Income)	160	82	51.3%	1.90
Moderate (50-79.99% MSA Income)	415	126	30.4%	1.13
Middle (80 to 119.99% MSA Income)	660	183	27.7%	1.03
Upper (>120% MSA Income)	676	182	26.9%	1.00
LMI (<80% MSA Income)	575	208	36.2%	1.32
MUI (>80% MSA Income)	1,336	365	27.3%	1.00
<b>Total</b>	<b>1,911</b>	<b>573</b>	<b>30.0%</b>	<b>-</b>



**Figure 18: Single-Family Loan Denial and Disparity Rates by Household Income in Miami Gardens**

Consistent with the above trends, borrowers for properties within LMI Census tracts were 1.14 times as likely to be denied a single family loan, as compared to those in MUI Census tracts (Table 23).

**Table 23: Denial Rates and Disparity Ratios for Single-Family Loans by Income Bracket of Census Tracts in Miami Gardens**

Income Bracket of Census Tract	Denial Rate			Ratio of that Income Group to Upper (Denial Ratio)
	Applications	Denials	% Denied	
Low (<50% MSA Income)	0	0	0%	-
Moderate (50 to 79.99% MSA Income)	262	88	33.6%	1.03
Middle (80 to 119.99% MSA Income)	1,462	420	28.7%	0.88
Upper (>120% MSA Income)	336	110	32.7%	1.00
LMI (<80% MSA Income)	262	88	33.6%	1.14
MUI (>80% MSA Income)	1,798	530	29.5%	1.00
<b>Total</b>	<b>2,060</b>	<b>618</b>	<b>30.0%</b>	<b>-</b>

Finally, an analysis of single family lending in Miami Gardens reveals that there were no great disparities in home lending when gender was considered (Table 24).

It is worth noting that the quantity of loan originations, both prime and subprime, within Miami Gardens has declined significantly since the previous 2006 AI report, with total originations down nearly 87 percent from 2006 levels. The number of prime loans that originated in 2014 was 79 percent lower than 2006, while subprime loan originations have declined over 92 percent during the same time period. This pattern is consistent with the impacts of the economic downturn associated with the financial crisis of 2007-08 and the subsequent tightening of credit markets that occurred in its aftermath.

**Table 24: All Single Family Loan Originations to Owner-Occupants in Miami Gardens – By Gender of Borrower**

Portfolio Share Analysis	Loan Originations			% of Loans to All Genders		
	Prime	Subprime	All	Prime	Subprime	All
Male	242	115	357	40.5%	37.7%	39.6%
Female	223	118	341	37.4%	38.7%	37.8%
Joint (Male/Female)	132	72	204	22.1%	23.6%	22.6%
<b>Total</b>	<b>597</b>	<b>305</b>	<b>902</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

Market Share Analysis	Loan Originations			% to that Gender		Ratio to Female	
	Prime	Subprime	All	Prime	Subprime	Prime	Subprime
Male	242	115	357	67.8%	32.2%	1.04	0.93
Female	223	118	341	65.4%	34.6%	1.00	1.00
Joint (Male/Female)	132	72	204	64.7%	35.3%	0.99	1.02
<b>Total</b>	<b>597</b>	<b>305</b>	<b>902</b>	<b>66.2%</b>	<b>33.8%</b>	<b>1.01</b>	<b>0.98</b>

Loan Denial Disparity Ratios	Denial Rate			Ratio of that Gender to Female (Denial Ratio)
	Applications	Denials	% Denied	
Male	765	226	29.5%	0.95
Female	749	233	31.1%	1.00
Joint (Male/Female)	427	117	27.4%	0.88
<b>Total</b>	<b>1,941</b>	<b>576</b>	<b>29.7%</b>	<b>0.95</b>

## G. PLANNING AND ZONING/BUILDING CODES

A City's Comprehensive Plan, zoning regulations, and other documents governing land use can both promote and impede fair housing choice. Local land use policies are not often discriminatory on their face, but may have a "disparate impact" on protected classes such as racial minorities or families. In 2015, the Supreme Court upheld the "disparate impact" principle, which holds that activities related to housing can be found to violate the Fair Housing Act if they disproportionately affect a protected class, even if intent to discriminate cannot be proven. Although low-income households are not a protected class under the Fair Housing Act, local land use policies that restrict the provision of affordable or moderately priced housing often have a disproportionate impact on federally protected classes, particularly racial and

ethnic minorities. Moreover, Florida law prohibits discrimination in land use and development permitting decisions based on the development's source of financing (F.S. 760.26), which provides a legal tool for subsidized developments facing NIMBY (Not In My Back Yard) resistance from neighbors.

As a typical suburb dominated by single-family residential land uses, the impact of land use policies in Miami Gardens is similar to that in other communities in Miami-Dade County. Additionally, Miami Gardens is mostly built out, and it would be difficult to substantially change the profile of its residential neighborhoods without extensive redevelopment. However, the City still has a few pockets of vacant land (see Figure 19 below), and even sporadic redevelopment opportunities can contribute significantly to fair housing choice for protected groups.

To identify land use provisions that affect fair housing choice in the City of Miami Gardens, we reviewed the following documents:

- Comprehensive Development Master Plan, Housing Element
- Zoning and Land Development Code (Municipal Code Chapter 34)
- Resolution No. 2008-186-873
- Local Housing Assistance Plan (LHAP)

The Comprehensive Plan's Housing Element supports the principle of permitting a variety of housing sizes and types to meet the needs of households across the income spectrum. In particular, the Housing Element calls for land development regulations to permit single room occupancy (SRO) developments, allow accessory dwelling units (ADUs) in residential zoning districts with lot sizes of 5,000 square feet or larger, and offer incentives such as density and height bonuses for workforce housing development.





The Zoning and Land Development Code (LDC) provides a framework for incentivizing “workforce housing,” defined as housing that is affordable to families with incomes ranging from 65% to 200% of Area Median Income. Incentives include eligibility for full or partial waivers of permitting fees; expedited building permitting; eligibility for waived impact fees if an alternate funding source is available to pay the fees; and possible density bonuses, reduced parking and setback requirements, zero-lot-line housing, and street requirement reductions. However, neither the Zoning and Land Development Code nor Resolution No. 2008-186-873, which “form[s] the basis for these workforce housing incentive provisions” (Municipal Code §34-182(a)), provide a specific schedule of incentives based on a development’s percentage of workforce housing units or their targeted income brackets. Rather, the Code gives wide latitude to the Planning and Zoning Department, the Community Development Department, and the City Council to approve incentive packages on a case-by-case basis.

The LDC does not explicitly authorize Accessory Dwelling Units. The only mention of ADUs is in Appendix A of the LDC, where the definition of a detached single-family residential use states that the lot of record “is not shared with any other dwelling, *except as may be provided in this chapter for an accessory dwelling unit*” (emphasis added). The provision that comes closest to authorizing ADUs is in §34-628(h), which states that “Accessory uses [in Planned Development districts] which are designed in a manner compatible with the planned area development and relate to the common needs of its inhabitants shall be permitted.”

Certain other provisions mention or allude to accessory structures and uses without specifically referring to ADUs. Section 34-89(b)(6) notes that “An application for the construction of, an addition to or renovation of a guest house, garage apartment or other similar accessory units on parcels zoned to permit such uses which do not create additional impacts on public facilities,” are exempted from concurrency requirements. The definitions of “accessory building or structure” and “accessory use” provide that they are “incidental and subordinate in purpose, dimension, area, and extent” to the principal building or use (§34-732). Additionally, §34-310(b) expressly prohibits accessory uses that are not specifically permitted or listed as related uses,

and §34-288(39) prohibits illegal subdivision of a residential unit. Similarly, the development standard for spacing between principal buildings in §34-342 is “not applicable (*only one dwelling per lot*)” (emphasis added).

The lack of clear authorization for ADUs in the LDC stands in contrast to the City’s 2013-2016 Local Housing Assistance Plan (LHAP), which lists the allowance of ADUs in residential zoning districts as an incentive strategy. Resolution No. 2008-186-873, meanwhile, makes no mention of ADUs.

The LDC also fails to explicitly authorize SRO developments. In residential districts, community residential facilities with up to six residents are permitted, while those with seven or more residents are allowed by special exception. However, community residential facilities must be state-licensed and have intensive on-site staffing and services, whereas SRO developments are generally envisioned as an option for living independently.

Overall, the development standards in Miami Gardens’ LDC, including maximum densities and setback requirements, are not onerous or unusual. For example, the single-family residential zoning district (R-1) allows a density of up to 6 units per acre, even without incentives for workforce housing. Moreover, as shown in Figure 19 above, several large tracts of vacant land are zoned for low-medium density and medium-density residential development. However, some requirements for frontage, lot coverage, and minimum dwelling unit size may be more stringent than necessary, and are not explicitly authorized to be adjusted as part of the workforce housing incentive program. For example, the minimum size for a studio apartment is 650 square feet. However, proposed residential units in the Planned Corridor Development district may receive moderate square footage reductions as an incentive for *market-rate* development (minimum 85% of units are market-rate) or sustainable building features (§34-531).

Local building codes also have implications for fair housing choice, especially for people with

disabilities who need homes with accessibility features. Miami Gardens is subject to the 2010 Florida Building Code, which integrates the 2010 Federal Americans with Disabilities Act requirements into its Accessibility Code.

## IV. ACTION TAKEN TO REDUCE IMPEDIMENTS

The City's 2008 *Analysis of Impediments* identified five (5) impediments to fair housing choice evident in the City of Miami Gardens:

1. Violations of federal, state, and local fair housing laws in the jurisdiction and immediate surrounding areas
2. Lack of awareness of fair housing laws, issues and resources
3. Racial disparities in fair and equal lending
4. A strongly segregated housing market
5. Limited funding availability for the creation of affordable housing opportunities

The City has taken the following actions to reduce the identified impediments:

1. Violations of federal, state, and local fair housing laws in the jurisdiction and immediate surrounding areas.

Goal: Reduce incidences of housing discrimination

Strategy: Provide fair housing training to all recipients receiving City funds for housing-related and community-based projects.

Accomplishments: See Table 25.

2. Lack of awareness of fair housing laws, issues and resources

Goal: Educate the community about its rights and responsibilities regarding fair housing

Strategy: Educate City employees regarding responsibility to affirmatively further fair housing. Develop a Fair Housing Educational Campaign to increase resident and landlord awareness and knowledge of fair housing, expand fair housing information on the City's

website, make fair housing information and housing discrimination brochures available for City residents, provide fair housing information to all housing program participants, coordinate with appropriate organizations to offer a citywide fair housing training workshop to the general public, include the City's commitment to affirmatively further fair housing choice in the City's Housing Policy Manual.

Accomplishments: See Table 26.

### **3. Racial disparities in fair and equal lending**

Goal: Reduce discriminatory and abusive practices in lending

Strategy: Provide fair housing education and outreach workshops to housing providers. Provide fair housing training to all recipients receiving City funds for housing-related and community-based projects.

Accomplishments: See Table 27.

### **4. A strongly segregated housing market**

Goal: Promote integration and diversity within the City of Miami Gardens

Strategies: Provide fair housing training to all recipients receiving City funds for housing related and community-based projects.

Accomplishments: See Table 28.

### **5. Limited funding availability for the creation of affordable housing opportunities**

Goal: Provide more affordable housing

Strategy: Emphasize mixed income housing in all neighborhoods. Support pre-purchase counseling programs.

Accomplishments: See Table 29.

**Table 25: Accomplishments in Addressing Impediment 1**

<b>2011-2012</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>
Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.	Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.	Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.	Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.
28 of these attendees purchased homes from the City through NSP; 11 are African American households, 9 are White Hispanic households.	8 of these attendees purchased homes from the City through NSP; 5 are African American households, 3 are White Hispanic households.	9 of these attendees purchased homes from the City through NSP; 5 are African American households, 4 are White Hispanic households.	7 of these attendees purchased homes from the City through NSP; 3 are African American households, 4 are White Hispanic households.
HOPE, Inc. provided several workshops in the Opa-Locka/ Miami Gardens area for housing providers.	HOPE, Inc. provided several workshops in the Opa-Locka/ Miami Gardens area for housing providers	HOPE, Inc. provided several workshops in the Opa-Locka/ Miami Gardens area for housing providers	HOPE, Inc. provided several workshops in the Opa-Locka/ Miami Gardens area for housing providers

**Table 26: Accomplishments in Addressing Impediment 2**

<b>2011-2012</b>	<b>2012-2013</b>	<b>2013 -2014</b>	<b>2014-2015</b>
<b>April 2012</b> –Dept. of Community Development employees attended a fair lending practices workshop conducted by HOPE, Inc.	Brochures in English, Spanish and Creole on fair housing, housing discrimination, and reporting continued to be available to the public at City departments and are given to all housing program participants.	Brochures in English, Spanish and Creole on fair housing, housing discrimination, and reporting continued to be available to the public at City departments and are given to all housing program participants.	Brochures in English, Spanish and Creole on fair housing, housing discrimination, and reporting continued to be available to the public at City departments and are given to all housing program participants.
Beginning 02/2010 – Brochures in English, Spanish and Creole on fair housing, housing discrimination, and reporting were made available to the public at City departments and are given to all housing program participants.			

**Table 27: Accomplishments in Addressing Impediment 3**

<b>2011-2012</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>
HOPE, Inc. provided several workshops in the Opa-Locka/ Miami Gardens area for housing providers.	HOPE, Inc. provided several workshops in the Opa-Locka/ Miami Gardens area for housing providers.	HOPE, Inc. provided several workshops in the Opa-Locka/ Miami Gardens area for housing providers.	HOPE, Inc. provided several workshops in the Opa-Locka/ Miami Gardens area for housing providers.
Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.	Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.	Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.	Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.

**Table 28: Accomplishments in Addressing Impediment 4**

<b>2011-2012</b>	<b>2012-2013</b>	<b>2013-2014</b>	<b>2014-2015</b>
Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.	Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.	Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.	Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.
28 of these attendees purchased homes from the City through NSP; 11 are African American households, 9 are White Hispanic households.	8 of these attendees purchased homes from the City through NSP; 5 are African American households, 3 are White Hispanic households.	9 of these attendees purchased homes from the City through NSP; 5 are African American households, 4 are White Hispanic households.	7 of these attendees purchased homes from the City through NSP; 3 are African American households, 4 are White Hispanic households.

**Table 29: Accomplishments in Addressing Impediment 5**

<b>2011-2102</b>	<b>2012-2103</b>	<b>2013-2014</b>	<b>2014-2015</b>
Beginning in 2009 the City began purchasing foreclosed and abandoned homes; 74 have been purchased and 49 have been sold to income eligible first-time homebuyers throughout the City.	Beginning in 2009 the City began purchasing foreclosed and abandoned homes; 74 have been purchased and 55 have been sold to income eligible first-time homebuyers throughout the City, and 2 were conveyed to non-profit entities for rental to individuals at or below 50% AMI.	Beginning 2009 the City began purchasing foreclosed and abandoned homes; 74 have been purchased and 64 have been sold to income eligible first-time homebuyers throughout the City, and 2 were conveyed to non-profit entities for rental to individuals at or below 50% AMI.	Beginning 2009 the City began purchasing foreclosed and abandoned homes; 79 have been purchased and 69 have been sold to income eligible first-time homebuyers throughout the City, and 2 were conveyed to non-profit entities for rental to individuals at or below 50% AMI.
Several homebuyer workshops were conducted for first-time homebuyers throughout the program year	Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.	Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.	Several homebuyer workshops were conducted for first-time homebuyers throughout the program year.
28 of these attendees purchased homes from the City through NSP. 11 are African American households, 9 are White Hispanic households.	8 of these attendees purchased homes from the City through NSP; 5 are African American households, 3 are White Hispanic households.	9 of these attendees purchased homes from the City through NSP; 5 are African American households, 4 are White Hispanic households.	7 of these attendees purchased homes from the City through NSP; 3 are African American households, 4 are White Hispanic households.

## V. CONCLUSIONS AND RECOMMENDATIONS

### A. IDENTIFIED IMPEDIMENTS TO FAIR HOUSING CHOICE

The *Analysis of Impediments to Fair Housing Choice* for the City of Miami Gardens points to multiple and, in many cases, interrelated areas of need. These impediment issues emerged from a thorough review of current policies and practices in both the public and private sectors, extensive public input, and a detailed examination of socioeconomic data. Each major impediment is summarized on the following pages, along with a brief overview of the existing conditions surrounding each issue and proposed implementation strategies to address identified



resource gaps and needs.

1. Lack of sufficient affordable housing options
2. Lack of initiatives to affirmatively further fair housing
3. A strongly segregated housing market
4. Incomplete government support system for fair housing
5. Discriminatory lending practices
6. Restrictive land use and zoning regulations

#### **Impediment 1: Lack of Sufficient Affordable Housing Options**

**Assessment:** The supply of affordable housing in the City of Miami Gardens, both for purchase and for rent, is inadequate to meet current and future demand. The provision of fair housing and the availability of affordable housing are closely linked. While not strictly a fair housing issue, the impact of affordability on housing choice cannot be overlooked.

According to the 2014 ACS, nearly 71% of renters and 59% of homeowners with a mortgage are considered cost burdened. The shortage of affordable housing options for Miami Gardens residents creates an impediment to fair housing choice.

#### **Strategies:**

- I. Improve coordination with Countywide affordable housing efforts.
- II. Collaborate with area housing developers who provide additional affordable housing options.
- III. Provide information and technical assistance on housing development programs
- IV. Emphasize mixed income housing in all neighborhoods
- V. Support pre-purchase counseling programs

#### **Outcome Measures:**

- I. Increased number of affordable housing units developed
- II. Increase in funding made available, or other financial equivalents, to affordable housing developers

- III. Increased visibility and activity for area lenders including Community Development Financial Institutions (CDFIs).

## **Impediment 2: Lack of Initiatives to Affirmatively Further Fair Housing**

**Assessment:** Indicators point to a general lack of fair housing awareness in the City of Miami Gardens. There were 85 fair housing complaints in the City from 2009-2015, but they may represent only a fraction of all instances of housing discrimination in Miami Gardens. As survey results showed, only one of the 16 respondents who believed they had experienced housing discrimination actually reported it, and a substantial share of respondents had little or no knowledge of fair housing laws or processes for filing a complaint. The results of the Fair Housing Survey conducted in the City of Miami Gardens support the need for an on-going effort to educate the community regarding their rights under fair housing laws.

It is no longer sufficient for the government to respond after housing problems arise. In order to affirmatively further fair housing, it is incumbent upon the City of Miami Gardens to anticipate potential problem areas and proactively seek solutions. Recent HUD guidance suggests broader protections for members of the LGBT community, military personnel, and individuals with a criminal record who may be adversely affected by current fair housing practices.

### **Strategies:**

- I. Overhaul marketing strategies for all counseling, rehabilitation, and public services
- II. Ensure equal inclusion in housing programs for minorities, the LGBT community, and other protected classes in Miami Gardens
- III. Provide technical assistance in affirmative marketing to recipients of City-administered housing development funds
- IV. Provide fair housing training for City government staff, community advocates, housing providers, and financial institutions
- V. Update Limited English Proficiency plan to ensure persons with limited English proficiency have meaningful access to all housing programs and activities, whether

publicly or privately provided. Deliver multi-language format presentations to community members

**Outcome Measures:**

- I. Increased reach of all targeted marketing efforts
- II. Increase the reporting of complaints from persons who believe they have experienced or witnessed discrimination.
- III. Program participation that is reflective of the racial and ethnic composition of the City's low-income population

**Impediment 3: A strongly segregated housing market**

**Assessment:** The City of Miami Gardens is an extremely segregated community. The east side of the City has a heavy concentration of African Americans – over 85% in many Census tracts. The Hispanic population is concentrated in the western portion of the city. This type of racial divide is specifically addressed in the new AFFH rule, which directs jurisdictions to take meaningful actions to overcome historic patterns of segregation.

The City must affirmatively further fair housing by addressing the disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, and create opportunity in existing concentrations of poverty. The goal of the AFFH Final Rule is to create communities free from barriers that restrict access to opportunity based on protected characteristics. To this end, the City of Miami Gardens must take action across all housing-related programs and activities.

**Strategies:**

- I. Undertake an analysis of housing utilizing the new AFH Assessment Tool
- II. Encourage mixed-income development in areas with a high concentration of poverty or a single racial group
- III. Encourage development of affordable housing for low- and moderate-income households in high-opportunity neighborhoods

**Outcome Measures:**

- I. Significantly lower concentrations of poverty
- II. Significantly lower concentrations of a single race within a Census tract

**Impediment 4: Incomplete government support system for fair housing**

**Assessment:** There are several factors that combine to hamper the ability of the City of Miami Gardens to effectively further fair housing. The Miami-Dade County Ordinance has not obtained substantial equivalency certification from HUD. Such certification would present numerous advantages such as funding availability, local complaint processing under a substantially equivalent law, and new partnership opportunities.

Additionally, the process for residents to file and track fair housing complaints in Miami-Dade County is opaque, with conflicting information on the respective roles of HOPE, Inc. and the Human Rights & Fair Employment Practices Division of the Miami-Dade County Human Resources Department in processing fair housing complaints. Information on the nature of complaints that have been filed in Miami Gardens in recent years is not readily available.

There is also a notable lack of housing-related services in the City: there are no resources dedicated to the homeless population, the Miami-Dade Public Housing & Community Development waitlists for public housing are closed, and the current transportation system is not as extensive as it could be for commuters and other residents. Additionally, in order to maintain the City's affordable housing stock, there is a need for increased efforts in code enforcement and preservation of housing stock, in addition to physical surveys of external housing conditions.

**Strategies:**

- I. Work with Miami-Dade County to obtain substantial equivalency certification for the County's fair housing ordinance
- II. Work with appropriate County offices, HOPE, Inc., and the HUD Miami Field Office as necessary to improve coordination of the system for receiving and tracking fair housing complaints.

- III. Provide training for the City's Mayor, Council, and Manager to ensure that the City is affirmatively furthering fair housing in all housing and housing-related activities, whether publicly or privately provided. Additionally, ensure that all public stakeholders understand the City's responsibilities under the new Affirmatively Furthering Fair Housing regulations.

**Outcome Measures:**

- I. Substantial equivalency certification for County fair housing ordinance
- II. A streamlined and effective system for receiving and tracking fair housing complaints
- III. Fully-trained governing body

**Impediment 5: Discriminatory lending practices**

**Assessment:** There are two concerns about barriers to fair lending: access to conventional prime loans and the infusion of FHA and sub-prime lending into minority markets. Home Mortgage Disclosure Act (HMDA) data for Miami Gardens indicate White non-Hispanic borrowers receive a disproportionately high portion of prime loans and smaller portion of high-cost loans, as compared to their share of Miami Garden's households. Hispanics receive a significantly larger portion of high-cost loans than their share of households. Additionally, low- and moderate-income borrowers receive a disproportionately low share of all mortgage loans.

African-American borrowers comprise the largest share of households (76 percent) in Miami Gardens, but this borrower group receives a smaller portion of both prime and high-cost loans, as compared to their percentage of the City's households. African-American borrowers are 3.66 times more likely than white non-Hispanic borrowers to receive a high-cost loan, and Hispanic borrowers are 5.64 times more likely to receive a high-cost loan than their White non-Hispanic counterparts.

**Strategies:**

- I. Develop and deliver targeted marketing efforts to increase minority and low-income participation in credit counseling and home ownership programs

- II. Expand credit counseling programs for both potential homebuyers and existing homeowners
- III. Expand financial literacy training programs for both potential homebuyers and existing homeowners

**Outcome Measures:**

- I. Demonstrated record of expanded marketing efforts
- II. Program participation that is reflective of the racial and ethnic composition of the City's low-income population
- III. Increase in minority and low-income home mortgage applications
- IV. Increase in minority and low-income home ownership
- V. Increase in educational programming

**Impediment 6: Restrictive land use and zoning regulations**

**Assessment:** The Housing Element of Miami Gardens' Comprehensive Plan calls for certain progressive land use policies, such as for Accessory Dwelling Units (ADUs) and Single-Room Occupancy (SRO) developments, that are not reflected in the Land Development Code (LDC). Additionally, the voluntary workforce housing program lacks specificity, and some development standards (such as minimum unit size and setbacks) may be more restrictive than necessary. Any expansion of incentives for the development of affordable housing will expand fair housing choice opportunities for low-income residents.

**Strategies:**

- I. Provide a specific schedule of incentives for workforce housing
- II. Ease requirements for residential development, such as minimum unit sizes and setbacks

**Outcome Measures:**

- I. Specific workforce housing incentives that reward developers for producing more units and/or targeting lower income brackets

- II. Review and relaxation of existing requirements for minimum setbacks, lot frontage, lot coverage, building square footage, and minimum dwelling unit size

## B. 2015 SUPREME COURT RULING ON FAIR HOUSING

On June 25, 2015, the Supreme Court handed down a landmark fair housing ruling that upheld the ability to bring “disparate impact” claims under Fair Housing Act. The Fair Housing Act of 1968, an integral legislative victory of the Civil Rights Movement, protects people from discrimination when they are renting, buying, or securing financing for housing. The case, *Texas Department of Housing and Community Affairs v. Inclusive Communities Project*, centered on the question of whether a policy or action has to be *intentionally* discriminatory, or merely have a discriminatory *effect*, in order to qualify as a valid basis for a discrimination claim under the Act.

Inclusive Communities, a Dallas-based non-profit, claimed that the Texas Department of Housing and Community Affairs was guilty of housing discrimination because the way in which the state allocated Low Income Housing Tax Credits perpetuated racial segregation by limiting the development of affordable housing to areas that were historically impoverished with high concentrations of minorities. The state claimed that no discrimination occurred because its intention was not to promote racial segregation but to revitalize these underserved areas by injecting much needed capital for the development of new affordable housing. Inclusive Communities claimed that regardless of intention, the state’s decision to fund tax-credit projects only in minority and poverty-laden neighborhoods resulted in segregation, and thus had a discriminatory effect (disparate impact).

Fair housing advocates across the nation watched the case closely and worried that if the Supreme Court ruled against disparate impact claims, it would essentially “defang” the Fair Housing Act by removing a key basis for liability. Intent is much harder to prove than effect. Ultimately the Court ruled 5-4 to uphold the lower court decisions in favor of Inclusive Communities, salvaging fair housing disparate impact claims.



### C. CONCLUSION AND NOTE ON HUD'S NEW FAIR HOUSING FINAL RULE

The Fair Housing Act of 1968 directs the U.S. Department of Housing and Urban Development and its program participants to promote fair housing and equal opportunity. The Act was intended to ensure that every person in America has the right to fair housing, regardless of their race, color, national origin, religion, sex, disability or familial status. This *Analysis of Impediments to Fair Housing Choice* has reviewed the various factors affecting fair housing in Miami Gardens. The City continues to make strides in affirmatively furthering fair housing and ensuring that all citizens have equal access to decent housing options.

HUD released a final rule in July 2015 to equip communities that receive HUD funding with reporting tools to help them meet fair housing obligations for the purpose of their use of HUD funds. HUD's final rule clarifies and simplifies existing fair housing obligations and creates a more streamlined Fair Housing planning process. HUD's final rule is a response to recommendations of a 2010 Government Accountability Office report as well as stakeholders and program participants who asked for clearer guidance, more technical assistance, better compliance and more meaningful outcomes. As the final rule is implemented, HUD will work with grantees to establish more effective local goals and priorities to address the fair housing barriers in their community.

*Additional information about the Affirmatively Furthering Fair Housing Final Rule can be retrieved at: [www.hud.gov/AFFH](http://www.hud.gov/AFFH).*

#### D. FAIR HOUSING PLAN

GOAL #1: REDUCE INCIDENCE OF HOUSING DISCRIMINATION				
Fair Housing Activities	Action/Agreement required	Measurable Results	Program/Staff Responsibility	Time Period for Completion
Provide fair housing education and outreach workshops to housing providers to foster compliance with federal, state, and local fair housing laws	Develop or update training curriculum and coordinate efforts of housing providers	Number of completed workshops/trainings and number of individuals reached	Community Development Or Sub-recipient/ contractor	
Support private enforcement of fair housing laws	Partner with local public and private fair housing agencies to coordinate most effective means of processing and referring complaints	Number of complaints referred and/or resolved	Community Development Or Sub-recipient/ contractor	
Provide fair housing and affirmative marketing training to all recipients receiving City funds for housing related and community based projects and monitor compliance, where appropriate	Identify participants, develop training curriculum, and collect materials to be distributed	Increased access to housing opportunities funded by the City	Community Development Or Sub-recipient/ contractor	

GOAL #2: EDUCATE THE COMMUNITY ABOUT ITS RIGHTS AND RESPONSIBILITIES REGARDING FAIR HOUSING				
Fair Housing Activities	Action/Agreement required	Measurable Results	Program/Staff Responsibility	Time Period for Completion
Disseminate a fair housing media campaign	Submit PSAs in local TV/Newspapers, tap local cable highlighting local, state and national fair housing news	Increased awareness demonstrated by logged number of complaints by the general public	Community Development Or Sub-recipient/ contractor	
Incorporate Fair Housing Education and Awareness and the new requirements of the AFFH in existing Housing Committee discussions	Include information on Fair Housing and AFFH in Affordable Housing Advisory Committee (AHAC) meetings	Greater awareness of Fair Housing issues including AFFH among housing stakeholders	Community Development	
Educate City Council members and City employees regarding responsibility to affirmatively further fair housing	Identify categories of government employees who should receive fair housing training	Local jurisdiction awareness of fair housing laws to encourage identification and reporting or discrimination	Community Development Or Sub-recipient/ contractor	
Conduct an annual community-wide fair housing event	Partner with other jurisdictions and community groups and coordinate event	Heightened awareness of fair housing rights and responsibilities	Community Development Or Sub-recipient/ contractor	

GOAL #3: REDUCE DISCRIMINATORY AND ABUSIVE PRACTICES IN LENDING				
Fair Housing Activities	Action/Agreement required	Measurable Results	Program/Staff Responsibility	Time Period for Completion
Reduce differences in the market penetration for various racial and ethnic areas	Examine disparities and create a plan to rectify the differences	Decreased differences in market penetration amongst racial and ethnic minorities	Community Development Or Sub-recipient/ contractor	

GOAL #4: PROMOTE INTEGRATION AND DIVERSITY WITHIN THE CITY OF MIAMI GARDENS				
Fair Housing Activities	Action/Agreement required	Measurable Results	Program/Staff Responsibility	Time Period for Completion
Provide technical assistance in affirmative marketing to recipients of City-administered housing development funds	Identify and require recipients to participate in training; contract with local fair housing agency to provide training	Training provided to City-funded recipients	Community Development Or Sub-recipient/ contractor	
Provide fair housing training for City government staff, community advocates, housing providers and financial institutions	Identify and coordinate prospective participants and contract with local fair housing center	Educational workshops provided for various community groups	Community Development Or Sub-recipient/ contractor	
Provide multi-language format presentations to community members	Identify locations to provide workshops and contract with local fair housing center	Increased awareness on the part of residents	Community Development Or Sub-recipient/ contractor	

GOAL #5: PROVIDE MORE AFFORDABLE HOUSING				
Fair Housing Activities	Action/Agreement required	Measurable Results	Program/Staff Responsibility	Time Period for Completion
Provide information and technical assistance on housing development programs	Provide training or contract for professional services	Increase in affordable housing development	Community Development Or Sub-recipient/contractor	
Emphasize mixed income housing in all neighborhoods	Select neighborhoods being targeted for redevelopment	Increase in racially, ethnically, and economically diverse neighborhoods	Community Development Or Sub-recipient/contractor	
Support pre-purchase counseling programs	Provide training or contract for professional services	Increased diversity in City	Community Development Or Sub-recipient/contractor	

## SIGNATURE PAGE

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City of Miami Gardens

Reviewed and accepted \_\_\_\_\_, 2016